

YEAR

BOOK

OF THE

UNITED

NATIONS

19



52

UNITED NATIONS · NEW YORK

YEARBOOK
OF THE
UNITED
NATIONS



1952

DEPARTMENT OF PUBLIC INFORMATION
UNITED NATIONS, NEW YORK

First Printing: September 1953

UNITED NATIONS PUBLICATIONS

SALES NO.: 1953. 1. 30

Printed in the United States of America

FOREWORD

This, the sixth Yearbook of the United Nations, presents the record of the Organization for 1952, following the conclusion of the General Assembly's sixth session in February.

The volume contains an account of the many and varied activities of the United Nations and the specialized agencies during 1952, together with documentary references for those who would study the matter further. It is hoped that it may prove a useful work of reference for all who take an interest in international affairs.

Throughout the year the United Nations pursued its efforts over the very wide field which its activities cover.

In the political sphere the negotiations for a just and honourable peace in Korea attracted special attention. The General Assembly in December, by an overwhelming majority, put forward proposals as a basis for a cease-fire agreement. Meanwhile the collective action against aggression was continued.

In the economic field perhaps the most noteworthy development was shown by the technical assistance activities. The Expanded Programme of Technical Assistance for under-developed countries made further progress. This important joint endeavour of the United Nations and several of its related specialized agencies could register increased support in all countries.

In these and many other ways the United Nations pursued its work of reconciliation and constructive assistance in order to fulfill its task as an instrument for the Member Governments in their efforts to further the causes of peace and freedom. The period reviewed in this Yearbook is not one of spectacular achievements, but the main front-line has been defended and progress has been made on many points of significance.



DAG HAMMARSKJÖLD
Secretary-General

CONTENTS

Part One: The United Nations

	Page
Historical Introduction	1
Text of the Charter of the United Nations and Statute of the International Court of Justice	10
I. Structure and Organization of the United Nations	
A. FUNCTIONS AND MEMBERSHIP OF THE PRINCIPAL AND SUBSIDIARY ORGANS	29
B. SESSIONS AND OFFICERS OF THE PRINCIPAL ORGANS AND MEETINGS OF SUBSIDIARY BODIES	51
C. MATTERS CONSIDERED BY THE PRINCIPAL ORGANS DURING 1952	54
D. CONSTITUTIONAL AND ORGANIZATIONAL QUESTIONS	67
E. ADMINISTRATIVE ARRANGEMENTS	90
F. BUDGETARY ARRANGEMENTS	106
G. HEADQUARTERS OF THE UNITED NATIONS	127
H. UNITED NATIONS POSTAL ADMINISTRATION	129
ANNEX I. REPRESENTATIVES SERVING ON PRINCIPAL AND SUBSIDIARY ORGANS DURING 1952	131
ANNEX II. CHANGES IN RULES OF PROCEDURE OF THE PRINCIPAL ORGANS	146
ANNEX III. STATES ACCEPTING THE COMPULSORY JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE	150
ANNEX IV. ORGANIZATIONS AUTHORIZED TO REQUEST ADVISORY OPINIONS FROM THE INTERNATIONAL COURT OF JUSTICE	150
ANNEX V. PRINCIPAL MEMBERS OF THE UNITED NATIONS SECRETARIAT	151
II. Political and Security Questions	
A. THE QUESTION OF KOREA	155
ANNEX I. OFFERS OF MILITARY ASSISTANCE TO THE UNIFIED COMMAND FOR KOREA	214
ANNEX II. STATEMENT OF GOVERNMENT OFFERS AND CONTRIBUTIONS FOR THE RELIEF AND REHABILITATION OF KOREA	216

	Page
ANNEX III. SUMMARY OF ASSISTANCE FOR THE KOREAN EMERGENCY RELIEF PROGRAMME	218
B. THE INDIA-PAKISTAN QUESTION	232
C. THE PALESTINE QUESTION	241
D. THE QUESTION OF ERITREA	262
E. THE TUNISIAN QUESTION	266
F. THE QUESTION OF MOROCCO	278
G. REPATRIATION OF GREEK CHILDREN	285
H. WORK OF THE BALKAN SUB-COMMISSION OF THE PEACE OBSERVATION COMMISSION	291
I. TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF SOUTH AFRICA	291
J. THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA	297
K. THE QUESTION OF AN AUSTRIAN PEACE TREATY τ	306
L. THE QUESTION OF HOLDING FREE ELECTIONS IN GERMANY	311
M. DISARMAMENT	312
N. THE QUESTION OF AN APPEAL TO STATES TO ACCEDE TO AND RATIFY THE GENEVA PROTOCOL OF 1925 FOR THE PROHIBITION OF THE USE OF BACTERIAL WARFARE	323
O. BACTERIAL WARFARE	327
P. REPORT OF THE COLLECTIVE MEASURES COMMITTEE	331
Q. ADMISSION OF NEW MEMBERS	332
R. OTHER MATTERS PLACED ON THE AGENDA OF THE SEVENTH SESSION OF THE GENERAL ASSEMBLY BUT NOT CONSIDERED DURING 1952	345
S. MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED	346

III. Economic and Social Questions

A. WORLD ECONOMIC SITUATION	348
B. ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED AREAS	353
C. FULL EMPLOYMENT	393
D. WORLD FOOD SUPPLES	404
E. SHORTAGE OF INSECTICIDES	408
F. PRODUCTION AND DISTRIBUTION OF NEWSPRINT	409
G. TRANSPORT AND COMMUNICATIONS	410
H. FISCAL QUESTIONS	412

	Page
I. STATISTICAL ACTIVITIES	414
J. ACTIVITIES OF THE REGIONAL ECONOMIC COMMISSIONS	416
K. HUMAN RIGHTS	439
L. FREEDOM OF INFORMATION	459
M. STATUS OF WOMEN	479
N. REFUGEES AND STATELESS PERSONS	491
O. SOCIAL WELFARE	502
P. UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND (UNICEF)	516
Q. NARCOTIC DRUGS	523
R. POPULATION AND MIGRATION QUESTIONS	530
S. TEACHING ABOUT THE UNITED NATIONS AND THE SPECIALIZED AGENCIES	535
T. QUESTIONS OF CO-ORDINATION AND RELATIONS WITH SPECIALIZED AGENCIES	537
U. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS	548
V. IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS	556

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	558
B. THE QUESTION OF SOUTH WEST AFRICA	583
C. CONDITIONS IN TRUST TERRITORIES IN THE PACIFIC	586
D. CONDITIONS IN TRUST TERRITORIES IN EAST AFRICA	609
E. CONDITIONS IN TRUST TERRITORIES IN WEST AFRICA	665
F. GENERAL DISCUSSION OF CONDITIONS IN TRUST TERRITORIES	726
G. PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TER- RITORIES IN THE GOVERNMENT OF THOSE TERRITORIES AND IN THE WORK OF THE TRUSTEESHIP COUNCIL	729
H. ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES	733
I. RURAL ECONOMIC DEVELOPMENT IN TRUST TERRITORIES	743
J. SOCIAL ADVANCEMENT IN TRUST TERRITORIES	743
K. EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES	745
L. DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND ON THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES	748

	Page
ANNEX PETITIONS DEALT WITH BY THE TRUSTEESHIP COUNCIL DURING 1952	748

V. Legal Questions

A. THE ANGLO-IRANIAN OIL COMPANY CASE	759
B. THE AMBATIELOS CASE	769
C. CASE CONCERNING RIGHTS OF NATIONALS OF THE UNITED STATES IN MOROCCO (FRANCE vs. UNITED STATES)	776
D. THE QUESTION OF DEFINING AGGRESSION	784
E. THE INTERNATIONAL LAW COMMISSION	791
F. WAYS AND MEANS FOR MAKING THE EVIDENCE OF CUSTOMARY INTER- NATIONAL LAW MORE READILY AVAILABLE	797
G. QUESTION OF THE CODIFICATION OF "DIPLOMATIC INTERCOURSE AND IMMUNITIES" BY THE INTERNATIONAL LAW COMMISSION	800
H. INTERNATIONAL CRIMINAL JURISDICTION	803
I. QUESTION OF THE REVISION OF THE CHINESE TEXT OF THE GENOCIDE CONVENTION	807
J. USE OF THE CITATION "DIED FOR THE UNITED NATIONS"	810
K. STATUS OF CLAIMS FOR INJURIES INCURRED IN THE SERVICE OF THE UNITED NATIONS	813
L. PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS	815
M. MULTILATERAL CONVENTIONS	816
N. REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS	817
O. PROCEEDINGS IN NATIONAL COURTS	817

Part Two: The Specialized Agencies

A. THE INTERNATIONAL LABOUR ORGANISATION (ILO)	819
B. THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO).	830
C. THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)	838
D. THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)	849
E. THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (BANK)	858
F. THE INTERNATIONAL MONETARY FUND (FUND)	867
G. THE WORLD HEALTH ORGANIZATION (WHO)	874

	Page
H. THE UNIVERSAL POSTAL UNION (UPU)	887
I. THE INTERNATIONAL TELECOMMUNICATION UNION (ITU)	893
J. THE WORLD METEOROLOGICAL ORGANIZATION (WMO)	901
K. THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION (IMCO)	911
L. THE INTERNATIONAL TRADE ORGANIZATION (ITO)	912

★ ★ ★

INFORMATION CENTRES OF THE UNITED NATIONS	917
ROSTER OF THE UNITED NATIONS	918
ADDRESSES OF DELEGATIONS AND MISSIONS	922
LIST OF ABBREVIATIONS	923
INDEX	924
SALES AGENTS OF THE UNITED NATIONS	end of volume

List of Illustrations and Charts

FLAGS OF UNITED NATIONS MEMBERS	Frontispiece
ORGANS OF THE UNITED NATIONS	27
STRUCTURE OF THE GENERAL ASSEMBLY	28
STRUCTURE OF THE SECURITY COUNCIL	35
STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL	37
STRUCTURE OF THE INTERNATIONAL TRUSTEESHIP SYSTEM	41
STRUCTURE OF THE SECRETARIAT	44
MAP: MEMBERS OF THE UNITED NATIONS, THEIR DEPENDENCIES AND TRUST TERRITORIES	facing page 150
MAP OF KOREA	213
MEMBERS OF THE UNITED NATIONS AND SPECIALIZED AGENCIES	920

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 parenthesis: thus, the General Assembly's resolution 609 (VII) is its 609th, adopted at its seventh session; the Economic and Social Council's resolution 416 (XIV) is its 416th, adopted at its fourteenth session; and the Trusteeship Council's resolution 463 (XI) is its 463rd, adopted at its eleventh 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; they are also collected in single mimeographed documents: S/INF/7 covers resolutions adopted during 1952. 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 1952. A list of United Nations Sales Agents appears at the end of this volume and a list of abbreviations precedes the index.

Part One: The United Nations

Historical Introduction

The United Nations came into being on 24 October 1945, when its Charter, drawn up and signed at the United Nations Conference on International Organization, held at San Francisco from 25 April to 26 June 1945, had been ratified by China, France, the USSR, the United Kingdom, the United States and a majority of other signatory States. The General Assembly, in resolution 168(II) of 31 October 1947, decided that 24 October should thereafter be celebrated annually as United Nations Day.

The following were among the principal steps leading to the establishment of the United Nations:

Declaration by United Nations, signed on 1 January 1942, by which 26 nations subscribed to the purposes and principles of the Atlantic Charter and undertook to co-operate in winning the war. The Declaration was later signed by other countries.

Declaration of Four Nations on General Security (Moscow Declaration), issued on 30 October 1943, under which China, the USSR, the United Kingdom and the United States recognized the necessity for establishing, as soon as possible, a general international organization based on the sovereign equality of all peace-loving States and open to all such States, to maintain international peace and security.

Dumbarton Oaks Proposals, issued on 9 October 1944, following informal conversations (1) between representatives of the USSR, the United Kingdom and the United States (21 August to 28 September) and (2) between representatives of China, the United Kingdom and the United States (29 September to 7 October). The proposals provided a blueprint for the projected organization.

Crimea (Yalta) Conference, held from 4 to 11 February 1945, at which the USSR, the United Kingdom and the United States agreed to call a conference of the United Nations to draft a Charter on the basis of the Dumbarton Oaks Proposals, and also agreed on a formula for voting in the Security Council (an item outstanding from the Dumbarton Oaks Conversations). The decision to call the conference was made known in the Crimea Communique, issued on 7 February. The proposed voting formula was included in the texts of invitations to the conference, sent on 5 March to those countries which had declared war on Germany or Japan and had signed the Declaration by United Nations.

Committee of Jurists, meeting in Washington from 9 to 20 April 1945; jurists from 44 countries prepared a draft Statute for the International Court of Justice.

United Nations Conference on International Organization (San Francisco Conference), held from 25

April to 26 June 1945, at which representatives of 50 countries—on the basis of the Dumbarton Oaks Proposals, the draft Statute for the International Court of Justice and numerous amendments and proposals by individual governments—drew up and, on 26 June 1945, signed the Charter of the United Nations.

Preparatory Commission, consisting of one representative of each nation represented at San Francisco, which met on 27 June in San Francisco and from 24 November to 23 December in London, and its Executive Committee of fourteen members, which met from 6 August to 24 November in London, made recommendations for the organization of the United Nations and provisional arrangements for the first meeting of its principal organs.

The first session of the General Assembly opened on 10 January 1946. By the end of 1951, six regular annual sessions (of which the first and third had been divided into two parts) and two special sessions, both dealing with the question of Palestine, had been held. The sixth regular session, which opened on 6 November in Paris, was still in progress at the beginning of 1952.

The Security Council held its first meeting on 17 January 1946. Thereafter, it was in continuous session, its 569th meeting (the last in 1951) being held on 19 December.

The first session of the Economic and Social Council opened on 23 January 1946; by the end of 1951 the Council had held thirteen regular sessions.

The first session of the Trusteeship Council opened on 26 March 1947; by the end of 1951 the Council had held nine regular sessions and four special sessions.

The inaugural meeting of the International Court of Justice was held on 18 April 1946; thereafter, the Court held sittings to conduct its internal business and when called upon to decide a case or render an advisory opinion.

During this period, various subsidiary organs had been created, chiefly by the General Assembly and by the Economic and Social Council, and eleven intergovernmental organizations had been

¹For a detailed account of the origin and evolution of the United Nations, see Y.U.N. 1946-47, pp. 1-50; for accounts of its subsequent activities see Y.U.N. 1946-47; 1947-48; 1948-49; 1950, 1951.

brought into formal relationship with the United Nations as specialized agencies. One of these, the International Refugee Organization, ceased operations at the beginning of 1952.

By the end of 1951 there were 60 United Nations Members. The Secretariat numbered 3,385 regular staff members. It was drawn from 61 States, 55 of them Members of the United Nations.

The site for the permanent United Nations Headquarters in New York City was chosen on 16 December 1946. Excavating work was begun on 14 September 1948 and the foundation stone of the Secretariat building, the first building to be erected, was laid by Mr. Lie, Secretary-General, in the presence of the representatives of all the Member Governments at a special meeting of the General Assembly on 24 October 1949, which was addressed by the President of the United States. The building was financed by means of an interest-free loan from the United States Government. The first offices of the new Headquarters Building were occupied on 21 August 1950.

During its first six years the United Nations dealt with a wide variety of international problems in the political, economic, social and legal fields, as well as questions affecting the development of non-self-governing peoples.

In its role of maintaining international peace and security, the Organization, either in the General Assembly or in the Security Council, considered questions concerning: the withdrawal of Soviet troops from Iran; the withdrawal of British and French troops from Syria and Lebanon; the relations of Members of the United Nations with Spain; the situation in Greece and the Balkans (1) arising from the presence of British troops in Greece, (2) resulting from policies of the Greek Government alleged to be a threat to the peace, (3) resulting from aid allegedly provided to the Greek guerrillas by the States to the north of Greece, and (4) resulting from the detention of Greek children abroad; the situation in Indonesia (1) resulting from alleged military action against the local population by British and Japanese troops, and (2) resulting from the hostilities between the Netherlands and the Republic of Indonesia; the question of the treatment of persons of Indian origin in the Union of South Africa; the government of the Free Territory of Trieste; the responsibility for damage to British war vessels and death of British sailors caused by mines in the Corfu Channel; the future government of Palestine and the maintenance of peace and security in that area; the maintenance

of British troops in Egypt and British policy in the Sudan; the independence of Korea, the breach of the peace caused by the invasion by North Korean forces of the Republic of Korea, Korean reconstruction and relief, the intervention of the People's Republic of China in Korea and the complaint of the armed invasion of Taiwan; the dispute concerning the accession to India or to Pakistan of the State of Jammu and Kashmir; the events preceding the change of government in Czechoslovakia in February 1948; measures taken to prevent Russian wives of foreign nationals leaving the USSR; observance of the human rights clauses in the peace treaties with Bulgaria, Hungary and Romania; the occupation of Hyderabad by Indian troops; the restrictions on transport and communications between the Western zones of Germany and Berlin; the question of holding free elections in Germany; alleged threats to the political independence and territorial integrity of China; and the representation of China in the United Nations.

In certain of these cases United Nations action was confined to discussions in the Assembly or the Security Council and to the making of recommendations; in other instances, commissions of inquiry or conciliation were established or a mediator designated. In the case of Korea, collective military measures were, for the first time, taken by an international organization to deal with a breach of the peace.

In the case of Palestine, for example, the General Assembly voted a partition plan on 29 November 1947, on the basis of a report by a special committee sent to the area. When hostilities broke out between the Arab States and the newly proclaimed State of Israel, it appointed, in May 1948, a United Nations Mediator to use his good offices to promote a peaceful settlement of the situation. The Mediator, Count Folke Bernadotte, backed by the Security Council, was successful in securing a truce, and he continued his mediation efforts until his assassination in September 1948, when the work was carried on by Ralph J. Bunche. As a result of the mediation efforts, armistice agreements were signed in the spring and summer of 1949 by Israel with Egypt, Lebanon, Jordan and Syria. Israel became a Member of the United Nations on 11 May 1949. During 1950 and 1951, the Security Council considered complaints of violations of the armistice agreements. To provide assistance to Palestine refugees, the General Assembly established in November 1948 the United Nations Relief for Palestine Refugees, and in December 1949 it set up the United Nations Relief and Works Agency

for Palestine Refugees in the Near East, which was to be concerned with reintegration as well as with relief projects.

In Indonesia a Committee of Good Offices (later called the United Nations Commission for Indonesia) secured the agreement of the Netherlands and the Republic of Indonesia to a cease fire and a truce. When fighting broke out again between the two parties, the Commission, with the support of the Security Council, obtained an agreement on measures to halt military operations and guerrilla warfare, on the release of political prisoners and on the calling of a round table conference at The Hague to devise means for the transfer of sovereignty from the Netherlands to the Republic of the United States of Indonesia. The Round Table Conference, at which the United Nations Commission for Indonesia assisted, took place from 23 August to 2 November 1949 and resulted in the transfer of sovereignty to the Republic of the United States of Indonesia on 27 December 1949. Indonesia became a Member of the United Nations on 28 September 1950.

In the case of Greece the General Assembly set up a United Nations Special Committee to assist Greece, Albania, Bulgaria and Yugoslavia in establishing friendly relations and to observe their compliance with the Assembly's recommendations, which included an injunction that Albania, Bulgaria and Yugoslavia should cease aiding the guerrillas in fighting against the Greek Government. It called for the return to Greece of Greek children abroad when the children or their nearest relative requested it. After receiving reports that the children had not been repatriated, the Assembly in 1950 set up a standing committee to consult with the representatives of the States concerned.

A United Nations Commission of inquiry and mediation was set up to assist the solution of the India-Pakistan dispute concerning Jammu and Kashmir. It succeeded in securing acceptance of a cease-fire line and of certain basic principles for holding a plebiscite to decide whether Kashmir should accede to India or to Pakistan, but was unable to obtain agreement on the necessary measures to precede the plebiscite, such as troop withdrawal. In 1950, a United Nations Representative was appointed to take over the Commission's duties; he was not able, however, to secure agreement to a demilitarization programme.

Another representative appointed by the Security Council in April 1951, reported, in October, that general agreement on a number of points had been reached by the two Governments and, in December, reported that the differences

had been narrowed down to two principal points—the size of the forces on each side of the cease-fire line and the date of induction into office of the plebiscite administrator.

A United Nations Temporary Commission observed the 1948 elections in South Korea (the only part of Korea open to it), after which a United Nations Commission was set up to observe and verify the withdrawal of the occupying forces and to lend its good offices to bring about the unification of the country.

After considering the Commission's report, the General Assembly declared that there had been established a lawful government (the Government of the Republic of Korea), having effective control and jurisdiction over that part of Korea where the Temporary Commission was able to observe and consult and in which the majority of Koreans resided; that this Government was based on elections which were a valid expression of the free will of the electorate in that part of Korea; and that it was the only such government in Korea.

An attack by North Korean forces on the Republic of Korea on 25 June 1950 was called to the attention of the Security Council by the United States representative, and was reported on the same day by the United Nations Commission on Korea. The Security Council met immediately and, deciding that a breach of the peace had occurred, called for a cessation of hostilities and the withdrawal of the invading forces. It asked Members to assist the United Nations in executing the resolutions and to refrain from assisting the North Korean authorities. Two days later, noting that its previous recommendation had not been carried out, the Council recommended that the Members of the United Nations furnish to the Republic of Korea the assistance necessary to repel the armed attack and restore peace in the area. On 7 July, the Security Council authorized the formation of a Unified Command under the United States and recommended that all Members providing military forces and other assistance under its previous recommendations make them available to this Command.

By the end of 1951 a total of 52 Members of the United Nations had given their moral support to the Council's resolutions of 25 and 27 June. Seventeen countries, including the United States and the Republic of Korea, were providing forces, five other countries were providing medical units and 36 Member and three non-member countries were providing economic assistance. Most of the

forces and other assistance were provided by the United States. A large part of the forces was being furnished by the Republic of Korea itself.

The Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, however, stated that the Council's resolutions were illegal, since they had been adopted without the vote of the USSR and with the vote of the Republic of China, who, they said, had no right to represent China. The USSR took the position that the events in Korea were the result of a planned and unprovoked attack by South Korean forces on the frontier areas of North Korea, and that the United States had resorted to open, armed intervention in Korea before the convening of the Security Council.

The General Assembly in 1950 set up a United Nations Commission for the Unification and Rehabilitation of Korea to assist in taking steps to ensure conditions of stability throughout the country and for the establishment of a unified, independent and democratic government in Korea. The Assembly stated that United Nations forces should not remain in any part of Korea for any purpose other than to achieve these objectives. It also outlined a general policy for the relief and rehabilitation of Korea and established a United Nations Korean Reconstruction Agency to undertake relief and reconstruction operations after the period of military activity. Meanwhile, relief activities were being carried on under the Unified Command. Following reports of the intervention of Chinese Communist military units in the fighting, while enforcement measures continued, the Assembly, in December 1950, asked its President to form a group, to consist of himself and two other persons chosen by him, to try to arrange for a cease fire, so as to prevent the conflict from spreading.

On 13 January 1951 proposals by this group, approved by the Assembly's First Committee, were transmitted to the Peiping Government. These proposals provided for: (1) the arrangement of a cease fire with adequate safeguards; (2) consideration of further steps for the restoration of peace; (3) withdrawal of all non-Korean armed forces and arrangements for the Korean people to express their own will in respect of their future government; (4) pending this, the making of interim arrangements for the administration of Korea and the maintenance of peace and security there; and (5) the setting up of an appropriate body, including representatives of the United Kingdom, the United States, the USSR and the People's Republic of China, to achieve a settlement of Far Eastern problems, including

those of Formosa and the representation of China in the United Nations.

On the failure of the Peiping Government to accept the proposals, the Assembly, on 1 February 1951, adopted a resolution finding the Central People's Government of the People's Republic of China guilty of aggression and called upon it to withdraw its forces from Korea. It requested a committee composed of members of the Collective Measures Committee to consider additional measures to meet this aggression unless a Good Offices Committee, created by it to negotiate, reported satisfactory progress. On 18 May the Assembly, on the report of the Additional Measures Committee, recommended the application of an embargo on the shipment of strategic materials to the People's Republic of China and areas under its control.

By the middle of 1951, United Nations forces had succeeded in throwing back the invading forces across the 38th parallel. Following a radio address by the Soviet representative to the United Nations on 23 June 1951, in which he stated that, as a first step to solve the conflict in Korea, discussions for a cease fire and an armistice should be begun, negotiations were started in Korea towards that end. By the end of 1951 agreement had been reached on almost all points except on arrangements relating to prisoners of war. The North Korean authorities and the Central People's Government of the People's Republic of China insisted on unconditional repatriation of all prisoners, while the United Nations stood for the principle of non-forcible repatriation.

The questions of the Free Territory of Trieste and of the former Italian colonies were referred to the United Nations under the terms of the peace treaty with Italy. The Security Council accepted responsibility for guaranteeing the independence and integrity of Trieste. The General Assembly decided that Libya should be free and independent as soon as possible, and in any case not later than 1 January 1952, and appointed a United Nations Commissioner to assist the Libyan people in formulating a constitution and establishing an independent government. It recommended measures for the transfer of powers to an independent Libyan Government by the end of 1951, and adopted provisions concerning the economic and financial arrangements necessitated by the transfer. On 24 December 1951, power was formally transferred to an independent United Kingdom of Libya which became a federation under the monarchy of King Mohammed Idris El Senussi. The General Assembly approved, on 2 December 1950, an Agreement placing the

Trust Territory of Somaliland under Italian administration for ten years, after which it is to be independent. It decided that Eritrea should be an autonomous unit federated with Ethiopia.

Persistent efforts were also made to reach agreement on the international control of atomic energy to ensure its use for peaceful purposes only and on the regulation of conventional armaments and of armed forces. It proved impossible, however, during the first five years of the United Nations, to secure agreement between the position of the majority of Members, who supported the plan adopted by the Atomic Energy Commission on the basis of the United States (Baruch) proposals, and the USSR position. The proposals of the Atomic Energy Commission, which were approved by the Assembly in 1948 as constituting the necessary basis for establishing an effective system of control, provided that international control of atomic energy should precede the elimination from national armaments of atomic weapons and that ownership and operation of atomic energy production facilities should be vested in an international control agency not subject to a "veto" in the Security Council. The basic USSR position was that conventions for the unconditional prohibition of atomic weapons and for the international control of atomic energy should come into force simultaneously and the production facilities should remain in national hands, but subject to international inspection by an agency operating within the framework of the Security Council.

At the Assembly's sixth session in 1951, agreement was, however, reached among the major Powers that a single Disarmament Commission be established to deal with the whole question of the regulation and reduction of all armed forces and all armaments, including atomic. The Commission was established on 11 January 1952 and was directed to prepare proposals to be embodied in a draft treaty or treaties for: (1) the regulation, limitation and balanced reduction of all armed forces and armaments; (2) elimination of all major weapons adaptable to mass destruction; and (3) effective international control of atomic energy for peaceful purposes only. Principles were laid down for its guidance.

Various proposals were made from time to time and steps were taken to strengthen the United Nations machinery for maintaining world peace. The Secretary-General in 1950 put forward a Twenty-Year Programme for achieving World Peace through the United Nations and discussed this with the heads of Governments in France, the USSR, the United Kingdom and the United

States. The Secretary-General's memorandum was submitted to the fifth session of the General Assembly, which commended him for his initiative and asked the appropriate United Nations organs to consider those portions of it with which they were particularly concerned.

The Assembly, in a resolution entitled "Uniting for peace", adopted on 3 November 1950, decided that if the Security Council, because of lack of unanimity of its permanent members, failed to exercise its primary responsibility for maintaining world peace in any case where there appeared to be a threat to the peace, breach of the peace or act of aggression, the Assembly was to consider the matter immediately with a view to making to Members appropriate recommendations for collective measures. The Assembly also established a Peace Observation Commission to observe and report on areas where international tension exists, and it recommended that Member States include within their armed forces elements trained, organized and equipped for service as United Nations units. A Collective Measures Committee was established to advise Members in this regard and to report on measures which might be used to strengthen international peace and security. The USSR and certain other Members, although not objecting to the creation of a Peace Observation Commission, maintained that the resolution as a whole was unconstitutional and that it was tantamount to a revision of the Charter.

The work of the United Nations for economic and social progress covered a wide area. The activities of the Economic and Social Council and its subsidiary bodies included, for example, work relating to economic development and full employment, transport and communications, fiscal and statistical questions, population and migration problems, social welfare questions, human rights and freedom of information, refugees, child welfare, the status of women and narcotic drugs. In the beginning the United Nations was mainly concerned with urgent post-war problems; for instance, the need for reconstruction of the devastated areas, the world shortage of food, the question of refugees and the special needs of the children of countries which had been the victims of aggression. Later, as the economy of the devastated countries began to recover, attention was increasingly directed toward the needs of the less developed countries. Technical assistance was given to such countries by the United Nations and the specialized agencies in the course of their regular programmes. In December 1948 the General Assembly voted a special fund for this purpose, and in 1949 agreed that these technical

assistance activities should be expanded and funds provided in the regular budget on a continuous basis.

In 1949, the Expanded Programme of technical assistance for economic development of under-developed countries was adopted by the Economic and Social Council and approved by the General Assembly. This programme provides for joint participation of the United Nations and some of the specialized agencies in rendering technical assistance, for a special fund to finance the programme to be made up of voluntary governmental contributions, and for special machinery to administer the Programme.

As a result of the first United Nations Technical Assistance Conference held in June 1950, a total of 54 Governments pledged over \$20 million to finance the Programme during its first eighteen months. As these funds became available, the Programme came into operation toward the end of the year.

During 1951 the study of methods to finance economic development progressed. Detailed recommendations were made to both the capital exporting countries and those seeking to attract capital, and consideration was given to the possible establishment of an international finance corporation and of a special fund to finance basic non-self-liquidating projects in under-developed countries. Various other aspects of economic development were also studied, such as land reform and the utilization and conservation of the non-agricultural resources of the world. Problems of economic development were also increasingly emphasized in the work of the regional economic commissions for Europe, for Asia and the Far East, and for Latin America.

Other economic questions considered by the United Nations included: international and national measures to promote and maintain full employment, on which detailed recommendations were made on the basis of a report of a committee of experts; measures to develop world trade, resulting in the holding of multilateral tariff negotiations; the development of transport, including steps to create an inter-governmental shipping organization and the adoption of a new International Convention on Road Traffic and a Protocol on Road Signs and Signals; the improvement of the comparability of statistics. Numerous economic, statistical and fiscal studies were undertaken and publications were issued, including annual surveys of world and regional economic conditions.

In the social field, the United Nations took over and expanded the work of the League of

Nations for the international control of narcotic drugs and the prevention of traffic in women and children. A Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others came into force in July 1951. It also took over the urgent and the important advisory social welfare services of UNRRA and, in 1949, placed these on a continuing basis. Steps were taken to establish, as a temporary agency, the International Refugee Organization (IRO) to care for the refugees who had been the concern of UNRRA and the Intergovernmental Committee on Refugees, and, in 1950, the Office of the United Nations High Commissioner for Refugees was set up to start activities at the beginning of 1951 and to deal with certain refugee problems after IRO ceased its activities. In July 1951 a Convention relating to the Status of Refugees was adopted by a Conference of Plenipotentiaries.

Through the United Nations International Children's Emergency Fund (UNICEF), food, clothing and medical supplies were provided to aid needy children, pregnant women and nursing mothers. To supplement governmental and other contributions, a world-wide appeal, the United Nations Appeal for Children (UNAC), was conducted to secure voluntary contributions for such aid. The Assembly in 1950 decided that UNICEF should be continued for a further three years, and should pay increasing attention to the long-range and continuing needs of children, particularly in under-developed countries.

The first part of an international bill of human rights, the Universal Declaration of Human Rights, was proclaimed by the General Assembly on 10 December 1948, and work proceeded on the drafting of a covenant and measures for implementation. A Convention on the Prevention and Punishment of the Crime of Genocide, drawn up and approved by the General Assembly, entered into force in January 1951. Work on the drafting of conventions on freedom of information, begun by an International Conference on Freedom of Information called by the Economic and Social Council, was carried on in the General Assembly and in the Economic and Social Council.

Among other questions on which recommendations were made and studies initiated were: slavery and customs resembling slavery; the repatriation of war prisoners; the status of women; population and migration problems; the prevention of discrimination and the protection of minorities; standards of living; housing problems;

and the prevention of crime and the treatment of offenders.

The General Assembly in February 1946 decided that the information transmitted by Members of the United Nations which are responsible for the administration of Non-Self-Governing Territories not placed under Trusteeship, in accordance with Article 73 e of the Charter, should be summarized, analysed and classified by the Secretary-General. The summaries and analyses have been examined annually by a special committee set up by the Assembly. On the basis of the committee's reports, the General Assembly has made recommendations concerning the transmission of information, guiding factors in determining whether or not a Territory is Non-Self-Governing, measures for improving educational, social and economic conditions in the Territories generally, and the use of technical assistance facilities and the co-operation of the specialized agencies in furthering their development. Between 1946 and the end of 1951 eight Administering Members transmitted information on over 60 Territories. Information on most of the Territories has been transmitted each year; on some, transmission has ceased, explanations being given in each case by the Administering Power concerned.

As of 31 December 1951 eleven Trust Territories were being administered under the International Trusteeship System: New Guinea (Australia); Ruanda-Urundi (Belgium); Somaliland (Italy); the Cameroons and Togoland (France); Western Samoa (New Zealand); Tanganyika, the Cameroons and Togoland (United Kingdom); Nauru (Australia, New Zealand and the United Kingdom jointly); and the Trust Territory of the Pacific Islands (United States), which is classified as a strategic area. With the exception of the Trust Territory of Somaliland, all these Territories were formerly League of Nations Mandates.

In accordance with the terms of the Charter, the Trusteeship Council has examined annual reports submitted by the Administering Authorities on each of these Trust Territories. By the end of 1951 it had examined nearly 700 petitions concerning the Territories and, in the case of petitions concerning the unification of the Ewe people or of the two Togoland Trust Territories, had heard representatives of the petitioners. Regular visiting missions were sent to Trust Territories in East Africa in 1948, West Africa in 1949, the Pacific in 1950, and again to East Africa in 1951 and a special mission visited Western Samoa in 1947 to examine a petition from the Samoans for self-government. Recom-

mendations were made by the General Assembly and the Trusteeship Council for developing self-government in the Territories; for improving economic conditions; for abolishing such practices as whipping and such customs as child marriage; for improving health and educational facilities; and for the study of prevailing policies, laws and practices in the Territories relating to land. Among the special questions considered was a continuing study of administrative unions of Trust Territories with adjacent Non-Self-Governing Territories under the administration of the same Metropolitan Power, and of the arrangements affecting the Trust Territories under French administration, which are administered within the French Union.

One League of Nations Mandate, South West Africa, has not been placed under the International Trusteeship System. The Union of South Africa, which administers the Territory, stated that it would continue to administer it in the spirit of the Mandate. The Assembly, however, recommended that the Territory be placed under Trusteeship and asked the International Court of Justice for an advisory opinion concerning South Africa's international obligations under the Mandate. The Court's opinion, given in 1950, stated, among other things, that the Union of South Africa continued to have international obligations concerning the Territory under the League of Nations Mandate, including the obligation to submit reports and transmit petitions. The Assembly established a committee to confer with the Union Government concerning procedural measures necessary to give effect to the Court's opinion.

The International Court of Justice had, by the end of 1951, delivered judgments in disputes between (1) the United Kingdom and Albania, (2) Colombia and Peru, and (3) the United Kingdom and Norway. It also indicated interim measures of protection in a dispute between the United Kingdom and Iran. A number of advisory opinions on various legal questions were likewise given by the Court.

The Corfu Channel case, a dispute between the United Kingdom and Albania, gave rise to three judgments by the Court. The case arose out of a United Kingdom complaint that Albania was internationally responsible for damage to British warships and death and injury to British naval personnel caused by mines in the Corfu Channel. The first of the three judgments, delivered on 25 March 1948, dealt with the question of jurisdiction. Albania had challenged the Court's competence, but the Court rejected Albania's

objection and decided that proceedings on the merits should continue. The second judgment, delivered on 9 April 1949, related to the merits of the case. The Court ruled that Albania was responsible under international law for the explosions of the two British warships in Albanian waters and for the damage and loss of human life that was the result. It also decided that in one of its minesweeping operations the United Kingdom had violated Albanian sovereignty. In its third judgment on the case, the Court on 15 December 1949 fixed the amount of compensation due by Albania to the United Kingdom.

The dispute between Colombia and Peru arose out of the asylum granted by the Colombian Ambassador to Peru to Victor Raul Haya de la Torre, who was being sought by the Peruvian authorities on the ground that he had instigated and directed the military rebellion in Peru in October 1948. In a judgment given on 20 November 1950, the Court decided that Colombia was not entitled to qualify unilaterally and in a manner binding upon Peru the nature of Mr. Haya de la Torre's alleged offence. It further decided that Peru was not bound to deliver to Mr. Haya de la Torre a safe conduct out of the country. The Court held that the grant of asylum to Mr. Haya de la Torre was not in conformity with the terms of the Havana Convention on asylum in relation to political offenders, but rejected the contention that he was accused of common crime. It decided that the urgency required under the Havana Convention to justify asylum was absent in the case.

In a judgment delivered on 27 November 1950 the Court ruled inadmissible a Colombian request for an interpretation of the Court's judgment of 20 November 1950.

The Haya de la Torre Case, a sequel to the former proceedings, was instituted by Colombia by means of a fresh application. Immediately after the Court's judgment of 20 November 1950, Peru had called upon Colombia to surrender Mr. Haya de la Torre. Colombia refused to do so, maintaining that neither the texts in force nor the Court's judgment placed it under an obligation to surrender the refugee to the Peruvian authorities. The Court confirmed this view in its judgment on 13 June 1951. It declared that the question was a new one, and that although the Havana Convention expressly prescribed the surrender of common criminals to the local authorities, no obligation of the kind existed in regard to political offenders. While confirming that asylum had been irregularly granted and that on this ground Peru was entitled to demand its

termination, the Court declared that Colombia was not bound to surrender the refugee; these two conclusions, it stated, were not contradictory because there were other ways in which the asylum could be terminated besides the surrender of the refugee.

The Fisheries Case concerned a controversy which had been pending between the United Kingdom and Norway for a long time. In 1935 Norway enacted a Decree by which it reserved certain fishing grounds situated off the northern coast of Norway for the exclusive use of its own fishermen. The question at issue was whether this Decree, which laid down a particular method for drawing the base-lines from which the width of the Norwegian territorial waters had to be calculated, was valid in international law. In its judgment on 18 December 1951, the Court found that, contrary to the submissions of the United Kingdom, neither the method employed for the delimitation by the 1935 Decree nor the lines themselves fixed by the said Decree were contrary to international law.

As a consequence of the nationalization by Iran of the undertaking of the Anglo-Iranian Oil Company, the United Kingdom instituted proceedings against Iran on 26 May 1951 and in June requested the Court to indicate interim measures of protection. The Court indicated certain interim measures in an order of 5 July 1951.

By the end of 1951, the Court had rendered seven advisory opinions. Two (May 1948 and March 1950) concerned the interpretation of the provisions of the Charter with regard to the admission of new Members. Two others (March and July 1950) related to the interpretation of clauses—concerning the procedure for the settlement of disputes—in the Peace Treaties concluded after the Second World War with Bulgaria, Hungary and Romania. One opinion (April 1949) was given on the question of reparations for injuries suffered in the service of the United Nations. Another (July 1950) related to the international status of South West Africa. The seventh opinion (May 1951) concerned the effect of reservations made by certain States in regard to the Convention on Genocide upon the relations between them and other signatory States.

The International Law Commission was established by the General Assembly in November 1947 to work for the progressive development of international law and its codification. By the end of 1951 it had, among other things, drafted a Declaration on Rights and Duties of States and

a draft Code of Offences against the Peace and Security of Mankind; formulated the Nürnberg Principles; and made recommendations on: (a) the question of establishing an international criminal court; (b) ways and means of making the evidence of customary international law more readily available; (c) the effect of reservations to multilateral conventions; and (d) the question of defining aggression. Preparatory work was also done on the codification of the law of treaties, the regime of the high seas, arbitral procedure, and nationality, including statelessness.

By the end of 1951, a total of 2,390 treaties and international agreements had been registered or filed and recorded with the Secretariat.

Conventions on privileges and immunities of the United Nations and of the specialized agencies were adopted in 1946 and 1947, and a Headquarters Agreement, to provide for the privileges and immunities necessary as a result of the establishment of the United Nations Headquarters in New York, was signed in June 1946 with the United States authorities.

An agreement between the United Nations and the United States, under which the United Nations issues and uses its own postage stamps, was signed on 28 March 1951. It came into force on the day of the first issue of United Nations postage stamps, namely United Nations Day, 24 October 1951.

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I

PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and en-

couraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a centre for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall 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.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. 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.

CHAPTER II

MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of 1 January 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III

ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV

THE GENERAL ASSEMBLY

Composition

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and

security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

THE SECURITY COUNCIL

Composition

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all **other** matters shall be made by an affirmative vote of **seven**

members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or 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 discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation, which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

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 in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties

concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII
REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX
INTERNATIONAL ECONOMIC AND SOCIAL
CO-OPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development;

b. solutions of international economic, social, health, and related problems; and international cultural and educational co-operation; and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

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.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the co-ordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect

to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It 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.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions

in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
- b. territories which may be detached from enemy states as a result of the Second World War; and
- c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defence and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated

as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.
2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are ipso facto parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

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.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

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.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

TRANSITIONAL SECURITY ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

THE INTERNATIONAL COURT OF JUSTICE established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a

list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own

nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12, shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members

of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular

categories of cases; for example, labour cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.
2. The President shall receive a special annual allowance.
3. The Vice-President shall receive a special allowance for every day on which he acts as President.
4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.
5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.
6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.
7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their travelling expenses refunded.
8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.
2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.
3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.
2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.
3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially

provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:
 - a. the interpretation of a treaty;
 - b. any question of international law;
 - c. the existence of any fact which, if established, would constitute a breach of an international obligation;
 - d. the nature or extent of the reparation to be made for the breach of an international obligation.
3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.
4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.
5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.
6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:
 - a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
 - b. international custom, as evidence of a general practice accepted as law;
 - c. the general principles of law recognized by civilized nations;
 - d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.
2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

CHAPTER III

PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered

in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.

2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favour of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.

2. The Court shall withdraw to consider the judgment.

3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.

2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.

2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are

parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

CHAPTER IV

ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In its exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V
AMENDMENTS

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Coun-

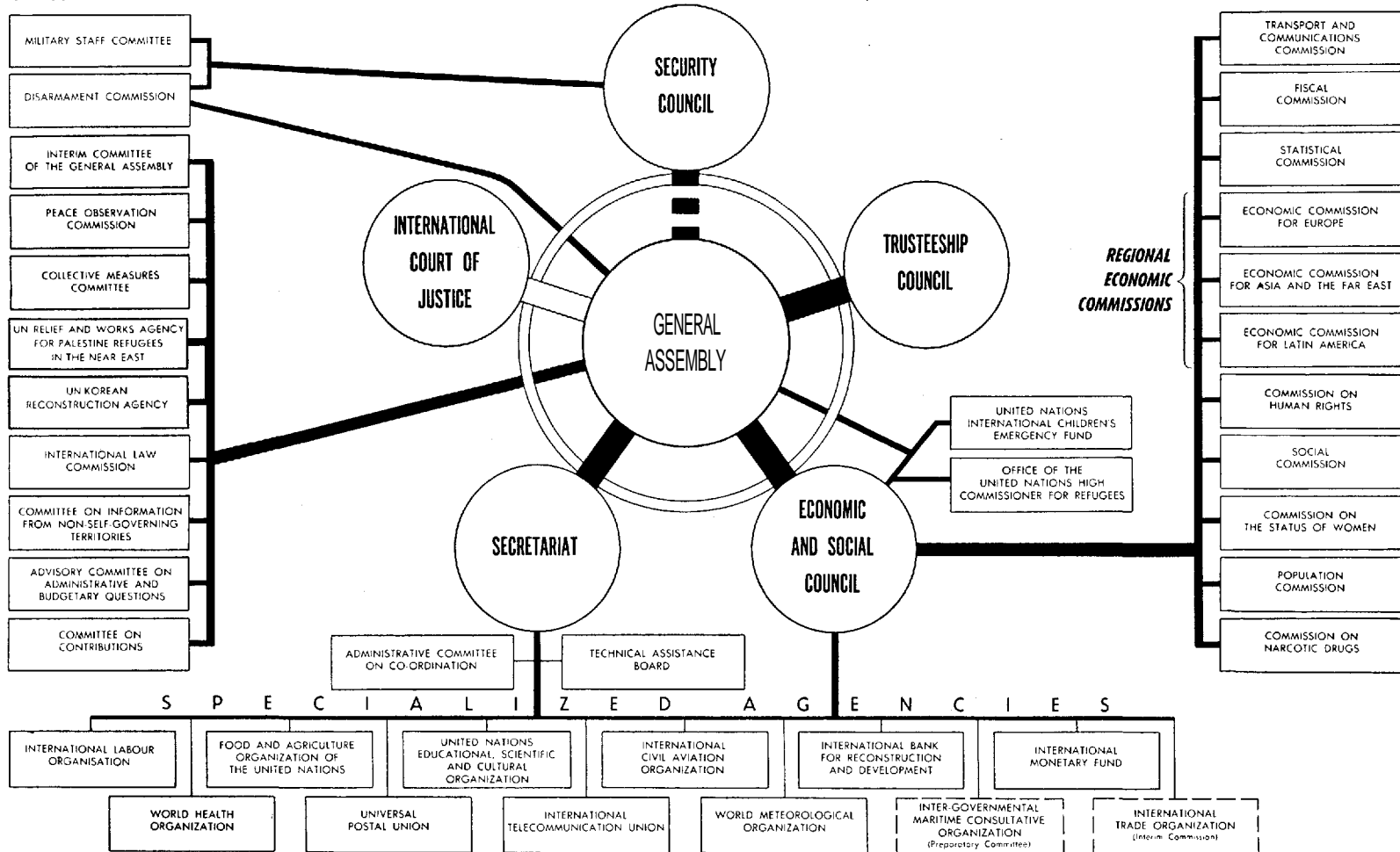
cil may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

ORGANS OF THE UNITED NATIONS

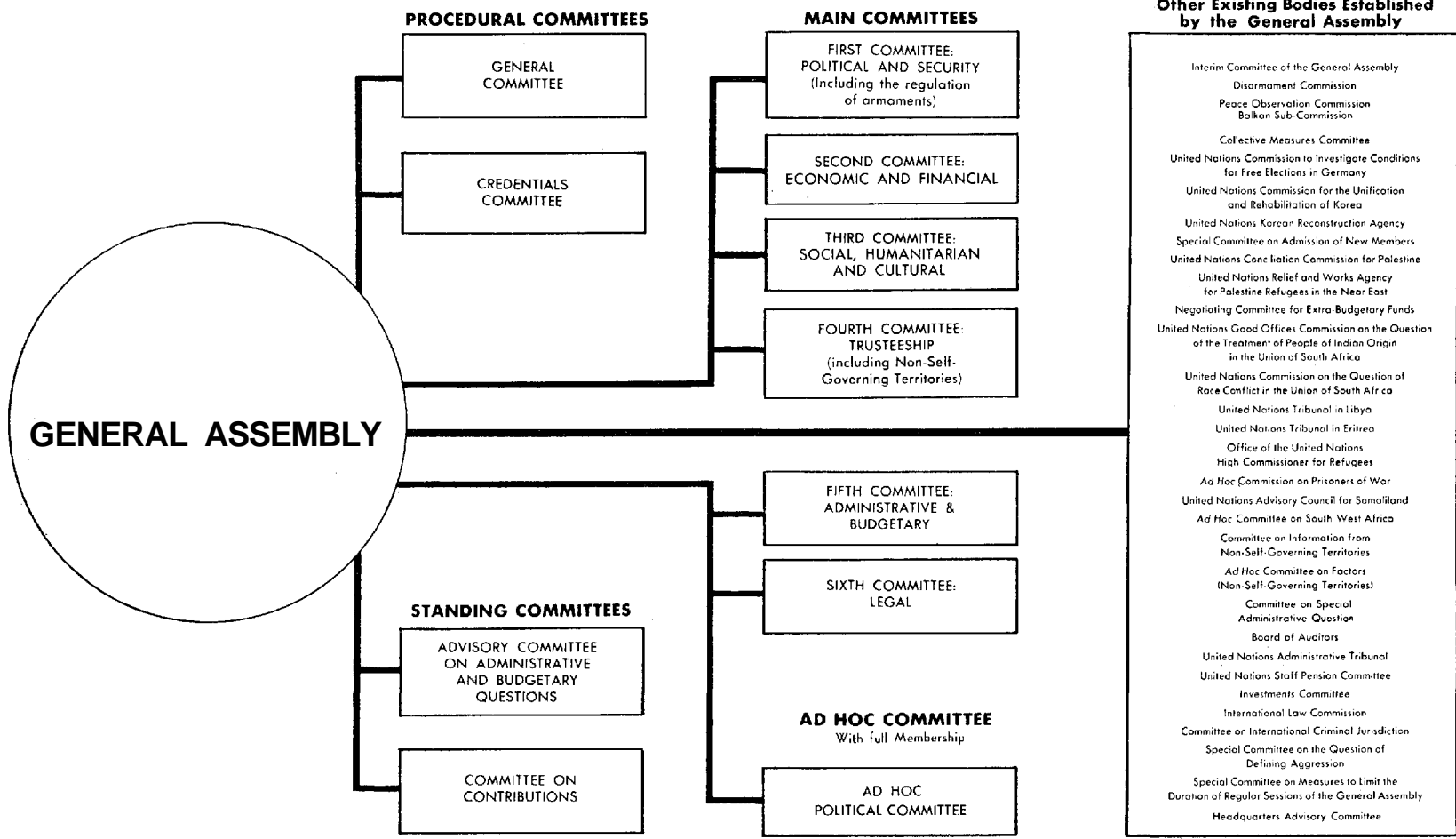
PRINCIPAL ORGANS AND SUBSIDIARY BODIES*



*For other subsidiary Bodies see Charts of Relevant Organs

STRUCTURE OF THE GENERAL ASSEMBLY

AS OF 31 DECEMBER 1952



I. Structure and Organization of the United Nations

A. FUNCTIONS AND MEMBERSHIP OF THE PRINCIPAL AND SUBSIDIARY ORGANS

The United Nations has six principal organs. The relevant Chapters and Articles of the Charter¹ concerning these organs are cited below. The principal members of the Secretariat and the membership of the other principal organs during 1952 is also given.

As regards subsidiary bodies of these principal organs, their membership during 1952 is given below (the countries of those persons appointed in their individual capacity are, for reference purposes, given in parenthesis); changes occurring during the year in the terms of reference of the subsidiary organs are indicated; where no such changes have occurred, references are made to previous summaries of their terms of reference².

1. The General Assembly

a. CHARTER PROVISIONS

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. (For texts of these Articles, see above.)

b. MEMBERS

All Members of the United Nations are represented in the General Assembly; at the end of 1952 there were 60 United Nations Members.³

c. SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY

(1) Main Committees⁴

There are six Main Committees; each Member may be represented by one person on each Main Committee:

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

Second Committee—Economic and Financial

Third Committee—Social, Humanitarian and Cultural

fourth Committee—Trusteeship (including Non-Self-Governing Territories)

Fifth Committee—Administrative and Budgetary

Sixth Committee—Legal

For the duration of the seventh session, the Assembly established an Ad Hoc Political Committee on which each Member was entitled to be represented.

(2) Procedural Committees⁵

There are two Procedural Committees: a General Committee and a Credentials Committee.

(3) Standing Committees⁶

(a) ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

Its members during 1952 were:

Elected to serve until 31 December 1952:

William O. Hall (United States), Olyntho Pinto Machado (Brazil), Sir William Matthews (United Kingdom).

Elected to serve until 31 December 1953:

Rafik Asha (Syria), Andre Ganem (France), Brag Kumar Nehru (India).

Elected to serve until 31 December 1954:

Thanassis Aghnides (Greece) (Chairman), Eduardo Carrizosa (Colombia), Igor V. Chechetkin (USSR).

(b) COMMITTEE ON CONTRIBUTIONS

Its members during 1952 were:

Elected to serve until 31 December 1952:

Kan Lee (China), Mitchell W. Sharp (Canada), Stuart Arthur Rice (United States).

¹ For text of the Charter, see pp. 10-26.

² See also the Structure of the United Nations (Sixth Revision), March 1952 (ST/DPI/7) for the membership and terms of reference of subsidiary bodies of the United Nations as of March 1953.

³ For a list of United Nations Members, see under Roster of the United Nations.

⁴ For terms of reference of these Committees, see Y.U.N., 1950, p. 16.

⁵ For the constitution and terms of reference of these Committees, see Y.U.N., 1950, pp. 16-17.

⁶ For the constitution and terms of reference of these Committees, see Y.U.N., 1950, p. 17. For election of new members to take office on 1 January 1953, see under Constitutional and Organizational Questions—Elections and Appointments.

Elected to serve until 31 December 1953:

Sir Sydney Caine⁷ (United Kingdom), Adolfo Nass (Venezuela), Maria Z. N. Witteveen (Netherlands) (Chairman).

Elected to serve until 31 December 1954:

René Charron (France), Arthur Samuel Lall (India), Josué Sáenz (Mexico), G. F. Saksin (USSR).

(4) Other Subsidiary Bodies⁸

At the end of 1952 the General Assembly had the following subsidiary bodies:

Interim Committee of the General Assembly⁹

Disarmament Commission

Peace Observation Commission⁹

Balkan Sub-Commission¹⁰

Collective Measures Committee¹⁰

Panel of Military Experts

United Nations Commission to Investigate Conditions for Free Elections in Germany¹⁰

United Nations Commission for the Unification and Rehabilitation of Korea⁹

United Nations Korean Reconstruction Agency⁹

Additional Measures Committee¹⁰

Special Committee on Admission of New Members

United Nations Conciliation Commission for Palestine⁹

United Nations Relief and Works Agency for Palestine Refugees in the Near East¹¹

Negotiating Committee for Extra-Budgetary Funds

United Nations Good Offices Commission on the Question of the Treatment of People of Indian Origin in the Union of South Africa

United Nations Commission on the Question of Race Conflicted in the Union of South Africa

United Nations Tribunal in Libya⁹

United Nations Tribunal in Eritrea¹⁰

Office of the United Nations High Commissioner for Refugees⁹

Ad Hoc Commission on Prisoners of War⁹

Group of Experts

United Nations Advisory Council for Somaliland⁹

Ad Hoc Committee on South West Africa⁹

Committee on Information from Non-Self-Governing Territories¹²

Ad Hoc Committee on Factors (Non-Self-Governing Territories)

Committee on Special Administrative Questions

Board of Auditors⁹

United Nations Administrative Tribunal⁹

United Nations Staff Pension Committee⁹

Investments Committee⁹

International Law Commission⁹

Committee on International Criminal Jurisdiction

Special Committee on the Question of Defining Aggression

Special Committee on Measures to Limit the Duration of Regular Sessions of the General Assembly

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

Standing Committee on Repatriation of Greek Children⁹

Negotiating Committee for Extra-Budgetary Funds¹⁰
Committee on Administrative Unions¹⁰

Ad Hoc Committee on Factors (Non-Self-Governing Territories)¹²

Special Committee for the Consideration of the Methods and Procedures of the General Assembly for Dealing with Legal and Drafting Questions¹⁰

Headquarters Advisory Committee⁹

Special Committee on Programme of Conferences

The members of the Assembly's subsidiary bodies during the period under review are given below as well as a summary of the functions of new bodies established during the period.

(a) INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

Each Member of the United Nations has the right to be represented on the Interim Committee.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR do not participate in the work of the Committee, the establishment of which they consider illegal and unconstitutional.

(b) DISARMAMENT COMMISSION

The Commission reports both to the General Assembly and the Security Council (see under Security Council).

(c) PEACE OBSERVATION COMMISSION

MEMBERS: China, Colombia, Czechoslovakia, France, India, Iraq, Israel, New Zealand, Pakistan, Sweden, USSR, United Kingdom, United States, Uruguay.

BALKAN SUB-COMMISSION

MEMBERS: Colombia, France, Pakistan, Sweden, United States.

(d) COLLECTIVE MEASURES COMMITTEE

MEMBERS: Australia, Belgium, Brazil, Burma, Canada, Egypt, France, Mexico, Philippines, Turkey, United Kingdom, United States, Venezuela, Yugoslavia.

PANEL OF MILITARY EXPERTS

The Experts are appointed by the Secretary-General under General Assembly resolution 377(V) ("Uniting for peace"). They are to be available, on request, to Member States wishing to obtain technical advice on the organization, training and equipment of elements within their national armed forces which could be made avail-

⁷ Resigned effective 1 January 1953.

⁸ The members of these bodies for 1952 is given below; for elections of members to take office in 1953, see under Constitutional and Organizational Questions; Elections and Appointments. For representatives serving on those bodies where States are designated as members see Annex I.

⁹ For terms of reference of these bodies, see Y.U.N., 1950, pp. 17-24.

¹⁰ For terms of references of these bodies, see Y.U.N., 1951, pp. 14-16.

¹¹ For terms of reference, see Y.U.N., 1950, p. 20 and Y.U.N., 1951, p. 15.

¹² For terms of reference, see Y.U.N., 1951, pp. 81-82.

able, in accordance with constitutional processes, for service as a United Nations unit or units upon recommendation by the Security Council or the General Assembly.

MEMBERS:

Army: Lt.-General A. J. Boase (Australia); Lt.-General B. H. Calmeijer (Netherlands); Lt.-General W. 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 Erdelhun (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 O. C. Badger (United States) (to 31 July 1952); Vice-Admiral Arthur D. Struble (United States) (from 1 August 1952); 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 H. R. Harmon (United States); Maj.-General Kemal Colakoglu (Turkey); Air Vice-Marshal Sir Alexander P. Davidson, K.B.E., C.B. (United Kingdom); Air Vice-Marshal J. E. Hewitt (Australia); General de Brigade Aérienne Louis Eugène Tapie (France); Group Captain George Doucas (Greece).

(e) UNITED NATIONS COMMISSION TO INVESTIGATE CONDITIONS FOR FREE ELECTIONS IN GERMANY¹³

MEMBERS: Brazil, Iceland, Netherlands, Pakistan, Poland.¹⁴

(f) UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA

MEMBERS: Australia, Chile, Netherlands, Pakistan, Philippines, Thailand, Turkey.

(g) UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

Agent-General: J. Donald Kingsley (United States)
Deputy Agent-General: Sir Arthur Rucker (United Kingdom)

Advisory Committee

MEMBERS: Canada, India, United Kingdom, United States, Uruguay.

(h) ADDITIONAL MEASURES COMMITTEE

Consists of the members of the Collective Measures Committee, with the exception of Burma and Yugoslavia, who stated that they would not serve on this Committee.

(i) SPECIAL COMMITTEE ON ADMISSION OF NEW MEMBERS

This Committee was established by the General Assembly on 21 December 1952 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 General Assembly and its Committees or which might be sub-

mitted to the Security Council by any Member of the United Nations. The study was to be undertaken in the light of the relevant provisions of the Charter, the discussions in the Assembly and Committees, the debates in the Security Council, the other antecedents of the question, and the principles of international law. The Special Committee was directed to report to the Assembly's eighth session.

MEMBERS: Argentina, Belgium, Canada, China, Colombia, Cuba, Egypt, El Salvador, France, Greece, Lebanon, Netherlands, New Zealand, Norway, Peru, Philippines, Union of South Africa, United Kingdom, United States.

(j) UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

MEMBERS: France, Turkey, United States.

(k) UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Director: John B. Blandford, Jr. (United States)

Deputy Director: James Keen (United Kingdom) (to 19 October 1952); Leslie J. Carver (United Kingdom) (from 19 October 1952).

Advisory Commission

MEMBERS: France, Turkey, United Kingdom, United States.

(l) NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS

The Assembly on 25 October 1952 re-established this Committee, to be composed of not more than ten members, to assist in obtaining voluntary contributions from governments for the Expanded Programme of technical assistance, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the programme of the United Nations Korean Reconstruction Agency, the programme of the United Nations International Children's Emergency Fund, and such other special programmes not provided for in the regular budget of the United Nations as might be designated by the General Assembly.

MEMBERS: Australia, Canada, Colombia, France, Haiti, Lebanon, Pakistan, United Kingdom, United States.

(m) UNITED NATIONS GOOD OFFICES COMMISSION ON THE QUESTION OF THE TREATMENT OF PEOPLE OF INDIAN ORIGIN IN THE UNION OF SOUTH AFRICA

This Commission was established by the General Assembly on 5 December 1952 to arrange and assist in negotiations between the Government of the Union of South Africa and the Governments of India and of Pakistan for a satisfactory solution of the question of the treatment of people of Indian origin in the Union of South Africa. The Commission was directed to report to the Assembly at its eighth session.

MEMBERS: Cuba, Syria, Yugoslavia.

¹³ On 5 August 1952 the Commission reported that it had adjourned sine die while remaining at the disposal of the United Nations and all parties concerned to carry out its task during such time as its mandate remained in force and at such time as it seemed likely to the Commission that it could do so with positive results.

¹⁴ Poland officially declined to participate.

(n) UNITED NATIONS COMMISSION ON THE QUESTION OF RACE CONFLICT IN THE UNION OF SOUTH AFRICA

This Commission was established by the General Assembly on 5 December 1952 to study the racial situation in the Union of South Africa, in the light of the purposes and principles and provisions of the Charter and the resolutions of the United Nations on racial persecution and discrimination, and to report its conclusions to the Assembly's eighth session.

MEMBERS: Ralph Bunche¹⁵ (United States), Hernan Santa Cruz (Chile), Jaime Torres Bodet¹⁵ (Mexico).

(o) UNITED NATIONS TRIBUNAL IN LIBYA

MEMBERS: Vicente Sánchez Gavito (Mexico); Hugo G. L. Wickstrom (Sweden); Faiz Yorukoglu (Turkey).

(p) UNITED NATIONS TRIBUNAL IN ERITREA

MEMBERS: Vicente Sánchez Gavito (Mexico); Hugo G. L. Wickstrom (Sweden); Faiz Yorukoglu (Turkey).

(q) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

High Commissioner; G. J. van Heuven Goedhart (Netherlands)

Deputy High Commissioner: James Read (United States)

United Nations High Commissioner's Advisory Committee on Refugees

The Committee was established to advise the High Commissioner, at his request, in the exercise of his functions.

MEMBERS: Australia, Austria, Belgium, Brazil, Denmark, Federal Republic of Germany, France, Holy See, Israel, Italy, Switzerland, Turkey, United Kingdom, United States, Venezuela.

(r) Ad Hoc COMMISSION ON PRISONERS OF WAR

MEMBERS: Countess Bernadotte (Sweden); Jose Gustavo Guerrero (El Salvador), Vice-President of the International Court of Justice; Aung Khine (Burma), Judge of High Court of Burma.

(s) GROUP OF EXPERTS

The Assembly, on 21 December 1952, requested the Secretary-General to appoint a group of experts to prepare during 1953 a report on practical measures relating to the recommendations contained in resolution 623 (VII) of the General Assembly on financing of economic development through the establishment of fair and equitable international prices of primary commodities and through the execution of national programmes of integrated economic development. The report is to be issued on the responsibility of the experts and is to be transmitted to the General Assembly together with the views of the Economic and Social Council thereon.

As at the end of the year the experts had not been appointed.

(t) UNITED NATIONS ADVISORY COUNCIL FOR SOMALILAND

MEMBERS: Colombia, Egypt, Philippines.

(u) Ad Hoc COMMITTEE ON SOUTH WEST AFRICA

MEMBERS: Norway, Syria, Thailand, United States, Uruguay.

(v) COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

This Committee, which during the fourth session of the General Assembly was constituted for a three-year period, is composed of Members of the United Nations transmitting information on Non-Self-Governing Territories and an equal number of non-administering Members elected on as wide a geographical basis as possible by the Fourth Committee on behalf of the Assembly. It was provided that non-administering Members should be elected for three years but, to provide for rotation, at the first election four of the non-administering Members were elected for a term of three years, two for two years, and two for one year only. At the Assembly's fifth and sixth sessions members were elected to replace the retiring Members. The Assembly at its seventh session continued the Committee for a further three-year period.

During 1952 the Members were as follows: Australia, Belgium, Brazil, Cuba, Denmark, Ecuador, Egypt, France, India, Indonesia, Netherlands, New Zealand, Pakistan, USSR, United Kingdom, United States.

(w) Ad Hoc COMMITTEE ON FACTORS (NON-SELF-GOVERNING TERRITORIES)

On 10 December 1952 a new Ad Hoc Committee was established to continue and carry out a more thorough study of the factors which will have to be taken into account in deciding whether a territory has or has not attained a full measure of self-government.

MEMBERS: Australia, Belgium, Burma, Cuba, Guatemala, Iraq, Netherlands, United Kingdom, United States, Venezuela.

(x) COMMITTEE ON SPECIAL ADMINISTRATIVE QUESTIONS

The Committee was established by the General Assembly on 21 December 1952 to meet between its seventh and eighth regular sessions to re-examine and prepare a report on certain aspects of the relationship between the Secretariat and the General Assembly as indicated by the Secretary-General in his memorandum submitted to the Assembly at its seventh session on administration of the United Nations. The Committee was also asked to review certain aspects of the procedure of the General Assembly and portions of the Statute of the Administrative Tribunal. The report, with the recommendations of the Advisory Committee on Administrative and Budgetary Questions, was to be circulated to all Members four weeks before the opening of the Assembly's eighth regular session.

MEMBERS: Australia, Belgium, Brazil, Chile, China, Dominican Republic, Greece, Iraq, Norway, Pakistan, Poland.

(y) BOARD OF AUDITORS

During 1952 the members were as follows:

Elected to serve until 30 June 1952:

Auditor General of Denmark (Otto F. Remke)

Elected to serve until 30 June 1953:

Auditor General of Canada (Robert Watson Sellar)

¹⁵ Unable to serve. Replaced by Henri Laugier (France) and Dantes Bellegarde (Haiti) on 30 March 1953.

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)

(z) UNITED NATIONS ADMINISTRATIVE TRIBUNAL

During 1952 the members were as follows:

To serve until 31 December 1952:

Mrs. Paul Bastid (France); Lt.-General His Highness Maharaja Jam Shri Digvijayasinhji Sahib (India) (President); Hamed Sultan (Egypt).

Elected to serve until 31 December 1953:

Lord Crook (United Kingdom); Vladimir Outrata (Czechoslovakia).

Elected to serve until 31 December 1954:

Bror Arvid Sture Petren (Sweden); Homero Viteri-Lafrente (Ecuador).

(aa) UNITED NATIONS STAFF PENSION COMMITTEE

During 1952 the members were as follows:

Elected by the General Assembly:

MEMBERS: R. T. Cristóbal (Philippines); Edmundo de Holte-Castello (Colombia); N. I. Klimov (USSR); ALTERNATES: Keith Brennan (Australia); Warren B. Irons (United States); P. Ordonneau (France).

Appointed by the Secretary-General:

MEMBERS: Hans C. Andersen, Georges Palthey. ALTERNATES: W. P. Barrett, L. Michelmore, Urbain F. Roullier.

Elected by Participants:

MEMBERS: Marc Schreiber, David B. Vaughan, Raphael Trachtenberg. ALTERNATES: François Eyriey, Charles Hogan, Georges Rabinovitch.

(bb) INVESTMENTS COMMITTEE

During 1952 the Members were as follows:

Elected to serve until 31 December 1952:

Ivar Rooth—Former Governor of the Bank of Sweden, Managing Director of the International Monetary Fund

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

(cc) INTERNATIONAL LAW COMMISSION

MEMBERS: Ricardo J. Alfaro (Panama) (Chairman); Gilberto Amado (Brazil); Roberto Cordova (Mexico); J. P. A. François (Netherlands); Shuhsi Hsu (China); Manley O. Hudson (United States); Faris Bey El-Khouri (Syria); F. I. Kozhevnikov¹⁶ (USSR); H. Lauterpacht¹⁶ (United Kingdom); Radhabinod Pal¹⁶ (India); A. E. F. Sandstrom (Sweden); Georges Scelle (France); Jean Spiropoulos (Greece); Jesus Maria Yepes (Colombia); Jaroslav Zourek (Czechoslovakia).

(dd) COMMITTEE ON INTERNATIONAL CRIMINAL JURISDICTION

This Committee was established by the General Assembly on 5 December 1952 to explore the implications and consequences of establishing an international criminal court and of the various methods by which this might

be done, to study the relationships between such a court and the United Nations and its organs, and to re-examine the draft statute for an international criminal court, prepared in 1951. The Committee was to undertake its work in the light of the comments and suggestions on the draft statute submitted by governments, as well as those made during the debates in the Assembly's Sixth Committee, and to submit a report for consideration by the Assembly at its ninth session.

MEMBERS: Argentina, Australia, Belgium, China, Denmark, Egypt, France, Israel, Netherlands, Pakistan, Panama, Peru, Philippines, United Kingdom, United States, Venezuela, Yugoslavia.

(ee) SPECIAL COMMITTEE ON THE QUESTION OF DEFINING AGGRESSION

The Special Committee was established by the Assembly on 20 December 1952 to prepare for submission to the Assembly at its ninth session a draft definition of aggression or draft statements of the notion of aggression. The Committee was also to study the following problems on the assumption that the Assembly would adopt a definition: (a) the various forms of aggression; (b) the connexion between a definition of aggression and the maintenance of international peace and security; (c) 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; (d) the effect of a definition of aggression on the exercise of the jurisdiction of the various organs of the United Nations; and (e) any other problem which might be raised by a definition of aggression.

MEMBERS: Bolivia, Brazil, China, Dominican Republic, France, Pakistan, Iran, Mexico, Netherlands, Norway, Poland, Syria, USSR, United Kingdom, United States.

(ff) SPECIAL COMMITTEE ON MEASURES TO LIMIT THE DURATION OF REGULAR SESSIONS OF THE GENERAL ASSEMBLY

This Committee was established by the General Assembly on 21 December 1952 to consider the Secretary-General's memorandum on measures to limit the duration of the regular sessions of the Assembly and any other relevant information from Member States and to submit recommendations on the subject to the Assembly at its eighth session.

MEMBERS: Afghanistan, Australia, Chile, China, Czechoslovakia, El Salvador, France, Iran, Netherlands, Norway, Philippines, USSR, United Kingdom, United States, Uruguay.

The following subsidiary bodies were discontinued during the period under review:

(a) STANDING COMMITTEE ON REPATRIATION OF GREEK CHILDREN

MEMBERS: Peru, Philippines, Sweden.

(b) NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS

MEMBERS: Canada, Colombia, France, Lebanon, Pakistan, United Kingdom, United States.

¹⁶ Elected at the fourth session of the Commission to replace Vladimir M. Koretsky, James L. Brierley and Sir Benegal N. Rau who resigned.

(c) **COMMITTEE ON ADMINISTRATIVE UNIONS**

MEMBERS: Belgium, Brazil, India, United States.

(d) **Ad Hoc COMMITTEE ON FACTORS (NON-SELF-GOVERNING TERRITORIES)**

MEMBERS: Australia, Belgium, Burma, Cuba, Denmark, France, Guatemala, Iraq, United States, Venezuela.

(e) **SPECIAL COMMITTEE FOR THE CONSIDERATION OF THE METHODS AND PROCEDURES OF THE GENERAL ASSEMBLY FOR DEALING WITH LEGAL AND DRAFTING QUESTIONS**

MEMBERS: Belgium, Canada, Chile, Czechoslovakia, Egypt, El Salvador, France, Indonesia, Iran, Israel, Sweden, USSR, United Kingdom, United States, Venezuela.

(f) **HEADQUARTERS ADVISORY COMMITTEE**

MEMBERS: Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, USSR, United Kingdom, United States, Yugoslavia.

(g) **SPECIAL COMMITTEE ON PROGRAMME OF CONFERENCES**

This Committee was established by the General Assembly on 25 November 1952 to prepare, with the assistance of the Secretary-General, a regular programme, covering a three to five year period, for the rational and economic distribution of United Nations conferences and meetings between the permanent headquarters and the United Nations Office at Geneva. The Committee reported to the Assembly on 18 December 1952.

MEMBERS: Argentina, Australia, Belgium, Czechoslovakia, Denmark, France, Iraq, Pakistan, USSR, United Kingdom, United States, Venezuela.

2. The Security Council

a. CHARTER PROVISIONS

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 aggressions; 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 Court. (For text of the Articles, see above.)

b. MEMBERS¹⁷

PERMANENT MEMBERS: China, France, USSR, United Kingdom, United States.

NON-PERMANENT MEMBERS:

Elected to serve until 31 December 1952: Brazil, Netherlands, Turkey.

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

c. SUBSIDIARY BODIES OF THE SECURITY COUNCIL

(1) Military Staff Committee¹⁸

The Military Staff Committee is composed of the Chiefs-of-Staff of the permanent members of the Security Council, or their representatives.

(2) Disarmament Commission¹⁹

This Commission consists of the members of the Security Council (see above) and Canada, when that State is not a member of the Council.

(3) Collective Measures Committee

This Committee reports to the General Assembly and to the Security Council (see under General Assembly).

(4) Standing Committees²⁰

(a) COMMITTEE OF EXPERTS

(b) COMMITTEE ON THE ADMISSION OF NEW MEMBERS

The two Standing Committees are each composed of representatives of all the members of the Security Council (see above).

(5) Ad Hoc Committees and Commissions

The Security Council establishes such ad hoc committees and commissions as may be required from time to time for special purposes. The following report to the Council:

(a) UNITED NATIONS COMMISSION FOR INDONESIA²¹

MEMBERS: Australia, Belgium, United States.

(b) UNITED NATIONS REPRESENTATIVE FOR INDIA AND PAKISTAN

Frank P. Graham²²

(c) UNITED NATIONS TRUCE SUPERVISION ORGANIZATION IN PALESTINE

Chief-of-Staff: Major-General William E. Riley²³

¹⁷ For members elected to take office on 1 January 1953, see p. 88.

¹⁸ This Committee continued to function and held a number of meetings during 1952 but without making any further progress on matters of substance. For terms of reference of the Committee, see Y.U.N. 1950, pp. 47-49.

¹⁹ For terms of reference of this Commission, see Y.U.N., 1951, p. 42.

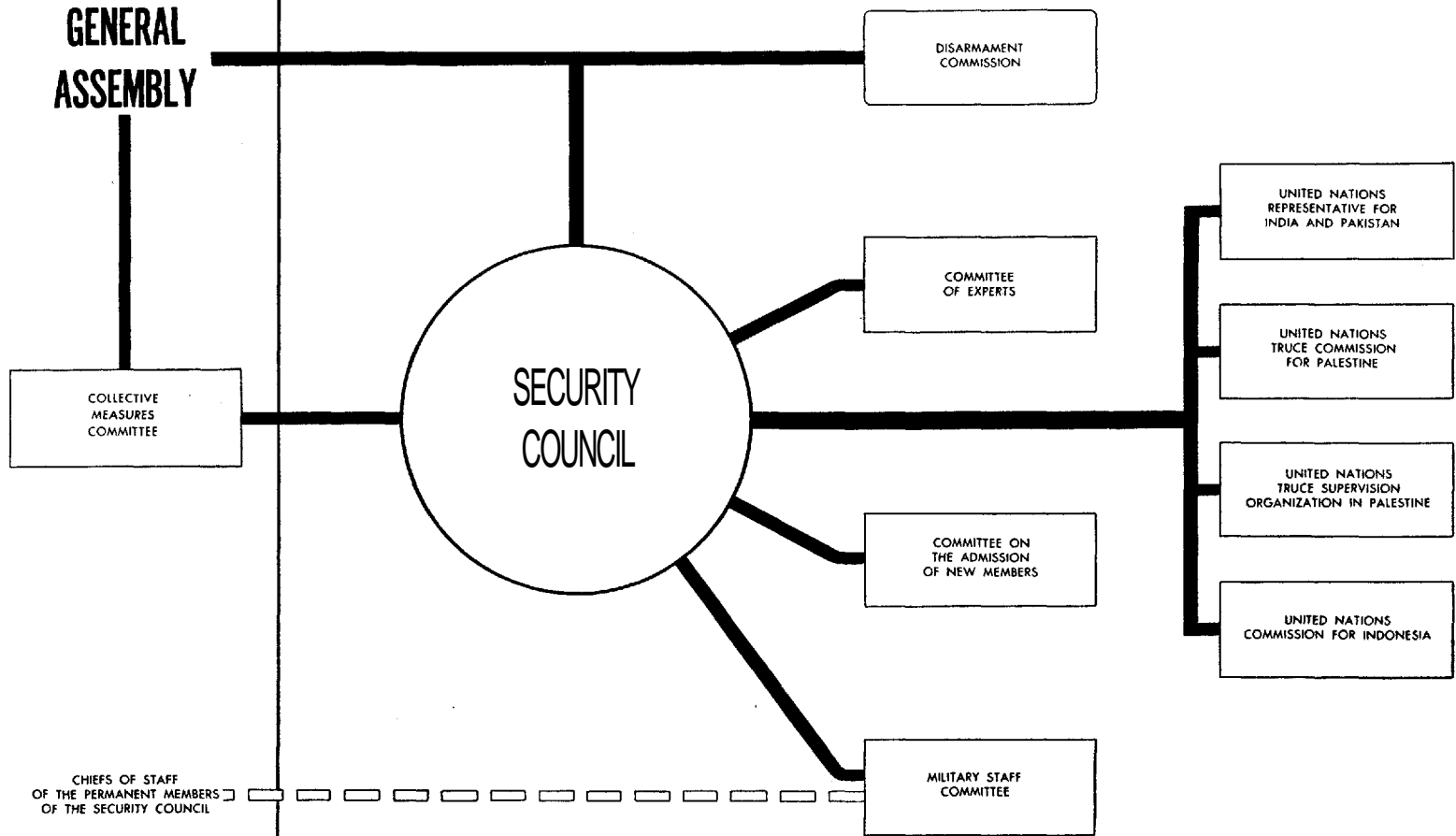
²⁰ For terms of reference of these Committees, see Y.U.N., 1950, p. 49.

²¹ On 1 April 1951 adjourned sine die, while continuing to hold itself at the disposal of the parties.

²² For terms of reference of the United Nations Representative, see Y.U.N., 1951, p. 42.

²³ For his terms of reference, see Y.U.N., 1950, p. 50.

STRUCTURE OF THE SECURITY COUNCIL



December 1952

3. The Economic and Social Council

a. CHARTER PROVISIONS

The Charter provisions relating to the Economic and Social Council are contained in Chapter 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 compositions, 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. (For text of these Articles, see above.)

b. MEMBERS²⁴

Elected to serve until 31 December 1952:

Canada, Czechoslovakia, Iran, Mexico, Pakistan, United States.

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.

c. SUBSIDIARY BODIES OF THE ECONOMIC AND SOCIAL COUNCIL

(1) Functional Commissions and Sub-Commissions²⁵

During 1952 the Council had the following Functional Commissions and Sub-Commissions:

(a) TRANSPORT AND COMMUNICATIONS

MEMBERS: Brazil, Byelorussian SSR, Chile, China, Egypt, France, India, Netherlands, Norway, Pakistan, Paraguay, Poland, USSR, United Kingdom, United States.

(b) FISCAL

MEMBERS: Canada, China, Colombia, Cuba, Czechoslovakia, France, India, Pakistan, Poland, Sweden, Union of South Africa, USSR, United Kingdom, United States, Venezuela.

(c) STATISTICAL

MEMBERS: Argentina, Australia, Canada, China, Czechoslovakia, Denmark, Egypt, France, India, Netherlands, Panama, Ukrainian SSR, USSR, United Kingdom, United States.

(d) HUMAN RIGHTS

MEMBERS: Australia, Belgium, Chile, China, Egypt, France, Greece, India, Lebanon, Pakistan, Poland, Sweden, Ukrainian SSR, USSR, United Kingdom, United States, Uruguay, Yugoslavia.

(i) Sub-Commission on Freedom of Information and of the Press²⁶

MEMBERS: Karim Azkoul (Lebanon); Mahmoud Azmi (Egypt); Carroll Binder²⁷ (United States); P. H. Chang (China); Steven Dedijer²⁸ (Yugoslavia); Roberto Fontaina²⁹ (Uruguay); Devadas Gandhi²⁸ (India); Andre Geraud (France); Salvador P. Lopez (Philippines);

Alfredo Silva Carvallo (Chile); Francis Williams²⁸ (United Kingdom); Vasily M. Zonov (USSR).

(ii) Sub-Commission on Prevention of Discrimination and Protection of Minorities

MEMBERS: A. P. Borisov²⁹ (USSR); C. F. Chang²⁹ (China); Jonathan Daniels³⁰ (United States); Erik Einar Ekstrand (Sweden); M. R. Masani (India); Elizabeth Monroe²⁹ (United Kingdom); Joseph Nisot (Belgium); Arturo Meneses Pallares (Ecuador); Herard C. L. Roy (Haiti); Rezazada Shafaq (Iran); Samuel Spanien³¹ (France); Joseph Winiewicz³⁰ (Poland).

(e) SOCIAL COMMISSION

MEMBERS: Australia, Belgium, Bolivia, Brazil, Byelorussian SSR, Canada, China, Ecuador, France, Greece, India, Israel, New Zealand, Philippines, USSR, United Kingdom, United States, Yugoslavia.

(f) STATUS OF WOMEN

MEMBERS: Brazil, Burma, Byelorussian SSR, Chile, China, Cuba, Dominican Republic, France, Iran, Lebanon, Mexico, Netherlands, New Zealand, Pakistan, Poland, USSR, United Kingdom, United States.

(g) POPULATION

MEMBERS: Australia, Belgium, Brazil, China, France, Indonesia, Mexico, Peru, Sweden, Syria, Ukrainian SSR, USSR, United Kingdom, United States, Yugoslavia.

(h) NARCOTIC DRUGS

MEMBERS: Canada, China, Egypt, France, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, USSR, United Kingdom, United States, Yugoslavia.

(2) Regional Economic Commissions³²

The Council has the following Regional Economic Commissions:

²⁴ For election of Members to take office on 1 January 1953, see p. 88.

²⁵ For terms of reference of these Commissions and Sub-Commissions, see Y.U.N., 1950, pp. 59-61, and Y.U.N., 1951, pp. 61-66. For representatives serving on those Commissions which met during 1952, see Annex I. For election of members to take office in 1953, see under Constitutional and Organizational Questions; Elections and Appointments.

As of 1952 the Transport and Communications, Fiscal, Statistical, Social and Population Commissions were scheduled to meet every two years, instead of annually; the Transport and Communications Commission and the Fiscal Commission were not to be convened before 1953.

²⁶ As provided in Economic and Social Council resolution 414(XII), the Sub-Commission on Freedom of Information and of the Press held its final session in 1952.

²⁷ Represented by alternate, J. Cates, at several meetings.

²⁸ Unable to attend session and designated, respectively, as alternates Ratko Pleic, Felix Polleri Carrío, Moni Moulík and Robert Waithman.

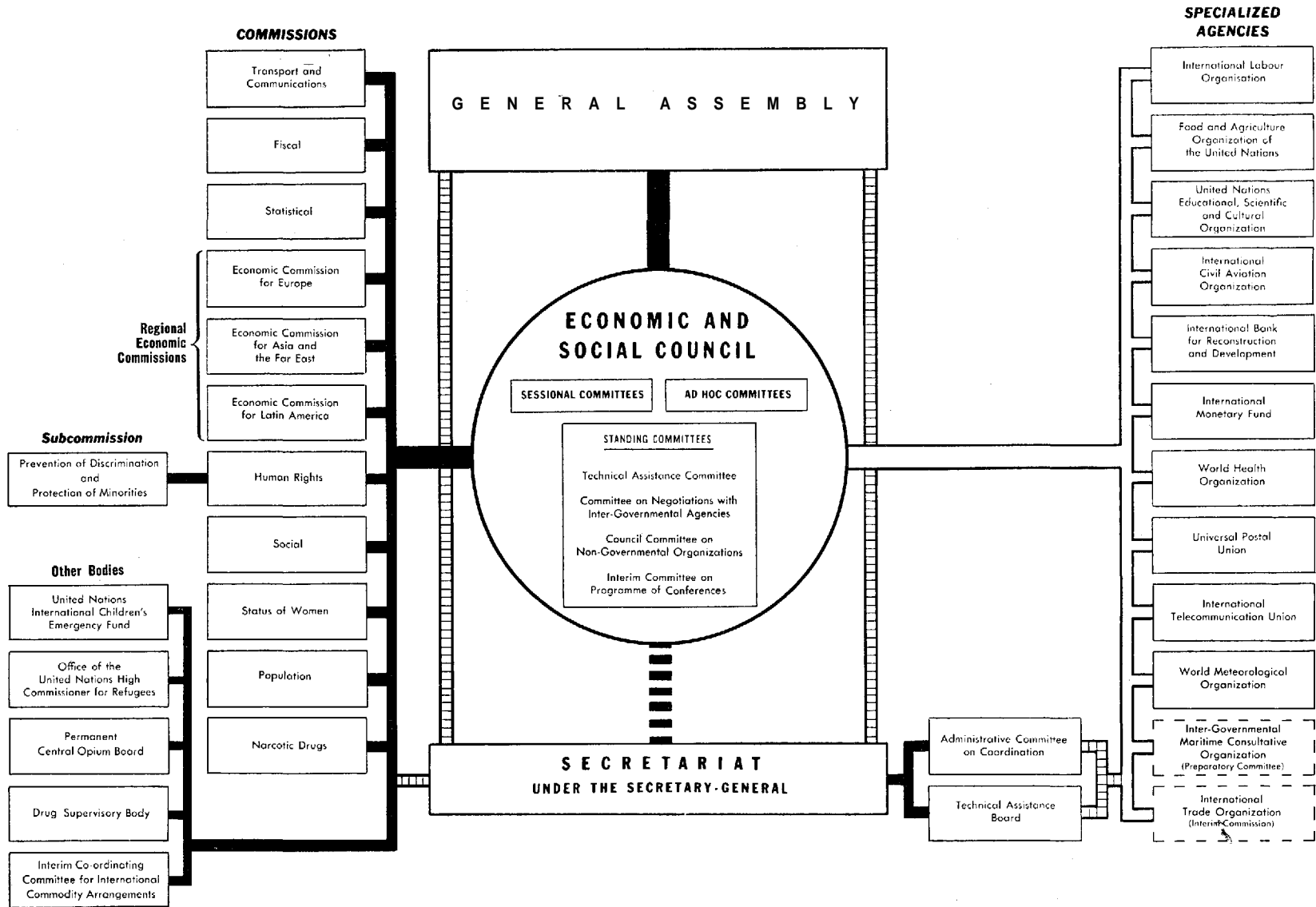
²⁹ Unable to attend session and designated, respectively, as alternates, A. A. Fomin, K. P. Fengsen and R. Hiscocks. Due to illness, Mr. Fengsen was later replaced by P. Y. Tsao.

³⁰ Represented by C. Blank and E. Kulaga, respectively, as alternates.

³¹ Died on 7 September 1912.

³² For terms of reference of these commissions, see Y.U.N., 1951, pp. 49-52.

STRUCTURE OF THE ECONOMIC AND SOCIAL COUNCIL



(a) ECONOMIC COMMISSION FOR EUROPE

MEMBERS: Belgium, Byelorussian SSR, Czechoslovakia, Denmark, France, Greece, Iceland, Luxembourg, Netherlands, Norway, Poland, Sweden, Turkey, Ukrainian SSR, USSR, United Kingdom, United States, Yugoslavia.

European countries participating in a consultative capacity in the work of the Commission: Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Portugal, Romania, Switzerland.

The Commission has established the following principal organs:

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

Some of these bodies have established subsidiary bodies of their own. In addition, there are various ad hoc committees and working parties.

(b)

MEMBERS: Australia, Burma, China, France, India, Indonesia, Netherlands, New Zealand, Pakistan, Philippines, Thailand, USSR, United Kingdom, United States.

ASSOCIATE MEMBERS: Cambodia, Ceylon, Hong Kong, Japan, Laos, Malaya and British Borneo, Nepal, Republic of Korea, State of Vietnam.

The Commission has established the following principal organs:

- (i) Committee on Industry and Trade
 - Sub-Committee on Iron and Steel
 - Sub-Committee on Electric Power
- (ii) Inland Transport Committee
 - Inland Waterway Sub-Committee
 - Railway Sub-Committee
 - Highway Sub-Committee

In addition there are various ad hoc committees and working parties.

The Commission also convenes regional conferences, e.g. a Conference on Flood Control, a Conference on Trade Promotion, and a Conference of Statisticians.

(c) ECONOMIC COMMISSION FOR LATIN AMERICA

MEMBERS: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, United Kingdom, United States, Uruguay, Venezuela.

The Commission has established the following principal organs:

- (i) Committee on Economic Co-operation in Central America
 - Sub-Committee on the Standardization of Tariff Nomenclature in Central America

(3) Standing Committees³³

During 1952 the Economic and Social Council had the following four Standing Committees:

(a) TECHNICAL ASSISTANCE COMMITTEE

This Committee is composed of the members of the Economic and Social Council.

(b) COMMITTEE ON NEGOTIATIONS WITH INTER-GOVERNMENTAL AGENCIES³⁴

MEMBERS: Belgium, China, Czechoslovakia, France, India, Mexico, Sweden, USSR, United Kingdom, United States, Uruguay.

(c) COUNCIL COMMITTEE ON NON-GOVERNMENTAL ORGANIZATIONS³⁵

MEMBERS: Canada, China, France, USSR, United Kingdom, United States, Uruguay.

Chairman: President of the Economic and Social Council.

(d) INTERIM COMMITTEE ON PROGRAMME OF CONFERENCES³⁶

MEMBERS: China, France, USSR, United Kingdom, United States.

(4) Special Bodies³⁷

Under this heading may be placed the following:

(a) PERMANENT CENTRAL OPIUM BOARD

MEMBERS: Pedro Pernambuco (Brazil); Hans Fischer (Switzerland); Sir Harry Greenfield (United Kingdom); Herbert L. May (United States); Paul Reuter (France); Milan Ristic (Yugoslavia); Sedat Tavat (Turkey); Y. N. Yang (China).

(b) DRUG SUPERVISORY BODY

MEMBERS:
Appointed by the Commission on Narcotic Drugs: Colonel C. H. L. Sharman (Canada)

Appointed by the Permanent Central Opium Board: Herbert L. May (United States)

Appointed by the World Health Organization: Hans Fischer (Switzerland); Sedat Tavat (Turkey).

(c) UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

Executive Director: Maurice Pate³⁸

³³ For the terms of reference of these committees, see Y.U.N., 1950, pp. 63-4.

³⁴ Formerly called "Committee on Negotiations with Specialized Agencies".

³⁵ For list of Non-Governmental Organizations in consultative status with the Council see section III, Relations with Non-Governmental Organizations.

³⁶ Formerly called "Interim Committee on Programme of Meetings".

³⁷ These bodies, although not subsidiaries of the Council in the same way as its commissions and committees, are included here since the Council or its subsidiary bodies consider the reports on their activities. For the terms of reference of these bodies, see Y.U.N., 1950, pp. 64-65.

³⁸ Appointed by the Secretary-General in consultation with the Executive Board.

(i) Executive Board

MEMBERS: Australia, Belgium, Bolivia, Brazil, Byelorussian SSR, Canada, Ceylon, China, Ecuador, France, Greece, India, Indonesia, Iraq, Israel, Italy, New Zealand, Peru, Philippines, Switzerland, Thailand, USSR, United Kingdom, United States, Uruguay, Yugoslavia.

(ii) Programme Committee

MEMBERS: Australia, Brazil, Ceylon, China, Ecuador, France, India, Switzerland, USSR, United Kingdom, United States

(iii) Committee on Administrative Budget

MEMBERS: Bolivia, France, Iraq, Israel, New Zealand, Thailand, United States.

(d) ADMINISTRATIVE COMMITTEE ON CO-ORDINATION

Composed of the Secretary-General and the executive heads of the specialized agencies brought into relationship with the United Nations.³⁹

Director-General of ILO, David A. Morse
 Director-General of FAO, Norris E. Dodd
 Acting Director-General of UNESCO, John W. Taylor
 Director-General of WHO, G. Broch Chisholm⁴⁰
 President of the Bank, Eugene R. Black
 Managing Director of the Fund, Ivar Rooth
 President of the Council of ICAO, Edward Warner
 Director of UPU, Fritz Hess
 Secretary-General of ITU, Leon Mulatier
 Secretary-General of WMO, G. Swoboda

(e) TECHNICAL ASSISTANCE BOARD

The Technical Assistance Board (TAB) is responsible for co-ordinating the Expanded Programme of technical assistance carried out by the United Nations Technical Assistance Administration and by the specialized agencies participating in the Programme. It reports periodically to the Council's Technical Assistance Committee (TAC) on activities undertaken and results achieved and on funds received and committed under the Expanded Programme. It receives annually and examines the proposed programmes of the participating organizations and makes recommendations concerning them and the total programme to the Council through TAC.

The 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). 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.

Executive Chairman: David Owen⁴¹

(f) INTERIM CO-ORDINATING COMMITTEE FOR INTERNATIONAL COMMODITY ARRANGEMENTS

Sir James Helmore, nominated by the Interim Commission for the International Trade Organization.

R. B. Schwenger, nominated by the Food and Agricultural Organization of the United Nations and concerned in particular with agricultural primary commodities.

Georges Peter, concerned in particular with non-agricultural primary commodities.

(5) Ad Hoc Committees

The Council and its subsidiary organs establish such ad hoc committees as may be required from time to time for special purposes. The following were among those meeting or established during 1952:

MEMBERS: Paal Berg, (Norway), Sir Ramaswami Mudaliar (Chairman) (India), E. Garcia Sayan (Peru).

(b) Ad Hoc COMMITTEE ON RESTRICTIVE BUSINESS PRACTICES⁴²

MEMBERS: Belgium, Canada, France, India, Mexico, Pakistan, Sweden, United Kingdom, United States, Uruguay.

(c) COMMITTEE OF EXPERTS ON A SPECIAL FUND

This Committee was established by the Council on 23 June 1952 to consist of not more than nine persons serving in an individual capacity appointed by the Secretary-General. It was instructed to prepare for the Council's consideration a detailed plan for establishing, as soon as circumstances permit, a special fund for grants-in-aid and for low-interest, long-term loans to underdeveloped countries.

MEMBERS: Amjad Ali (Pakistan); Fernand Baudhuin (Belgium); C. V. Bramsnaes (Denmark); Miguel Cuaderno (Philippines); Sir Cyril Jones (United Kingdom); Leo Mates (Yugoslavia); Hernán Santa Cruz (Chile); Eduardo Suarez (Mexico); Wayne C. Taylor (United States).

(d) Ad Hoc COMMITTEE ON IRON ORE RESOURCES

Established under Council resolution 345 (XII) of 9 March 1951 to initiate a programme designed to promote the systematic survey and inventory of non-agricultural natural resources, paralleling the work already undertaken under the auspices of FAO in the field of agricultural resources.

MEMBERS: 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).

³⁹ 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.

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.

See also under Part II, The Specialized Agencies.

⁴⁰ Resigned in November 1952—his successor was to be appointed at the Sixth World Health Assembly in 1953.

⁴¹ Appointed by the Secretary-General in consultation with the participating organizations.

⁴² For the terms of reference of these committees, see Y.U.N., 1951, p. 53.

(e) SPECIAL RAPPORTEUR

On 25 July 1952 the Council elected S. P. Lopez (Philippines) to serve as Rapporteur on matters relating to freedom of information and to prepare for the Council in 1953 a substantive report covering major contemporary problems and developments in the field, together with recommendations for practical action.

4. The Trusteeship Council

a. CHARTER PROVISIONS

Chapter XII (Articles 75-85) and Chapter XIII (Articles 86-91) deal with the International Trusteeship System, which applies to those territories placed under it by means of Trusteeship Agreements. 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. (For text of these Articles, see above.)

(Chapter XI (Articles 73 and 74) of the Charter entitled "Declaration Regarding Non-Self-Governing Territories" applies to dependent territories in general. Summaries and analyses of the information transmitted under Article 73e concerning dependent territories not placed under the International Trusteeship System are examined by a special committee of the General Assembly.)⁴³

b. 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
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

Administering Authority	Trust Territory	Agreement Approved by General Assembly
United Kingdom	Tanganyika	13 Dec. 1946
United Kingdom, New Zealand and Australia (administered by Australia)	Nauru	1 Nov. 1947
United States	Trust Territory of the Pacific Islands (Strategic Area)	Approved by Security Council 2 April 1947

Although the terms of the Trusteeship Agreement vary, all contain most of the following provisions:

(1) Definition of the Territory to which the Agreement applies.

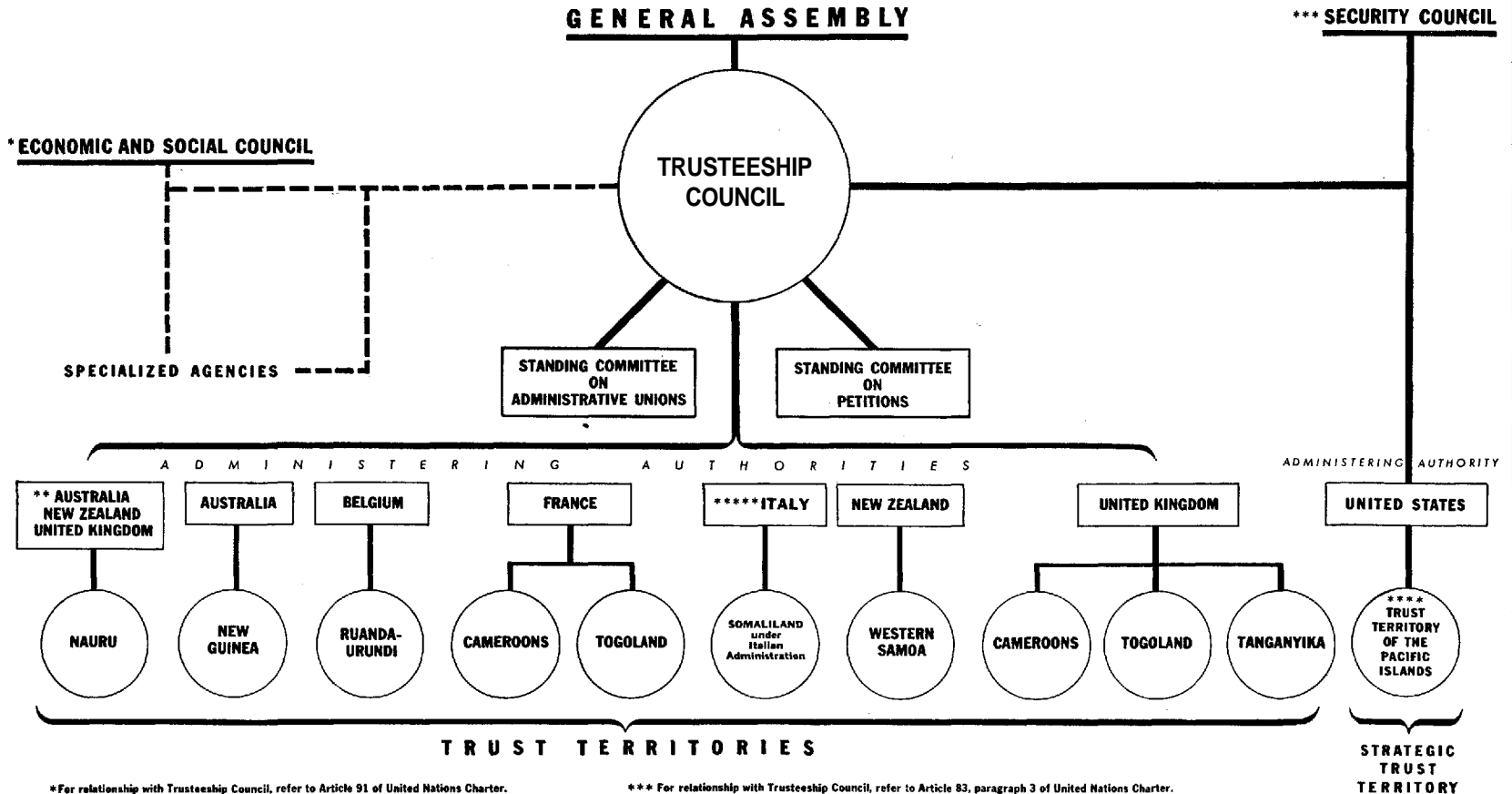
(2) Designation of the Administering Authority.

(3) Obligations of the Administering Authority: (a) to administer the Territory so as to achieve the basic objectives of Trusteeship as laid down in Article 76 of the Charter; (b) to be responsible for the peace, order and good government of the Territory and for ensuring that it plays its part in the maintenance of international peace and security; (c) to develop free political institutions and to give the inhabitants an increasing share in the government of the Territory; (d) to respect the rights of the indigenous inhabitants over land, and not to allow the land or natural resources of the indigenous population to be transferred, except with the previous consent of the competent public authority, which must respect the rights and safeguard the interests of the indigenous population; (e) to ensure equal treatment in social, economic, industrial and commercial matters for all Members of the United Nations and their nationals, without prejudice to the attainment of the objectives of the Trusteeship System; (f) to develop education; (g) to guarantee to the inhabitants freedom of religion, of worship, of speech, of the Press, of assembly and of petition, subject only to requirements of public order.

(4) Rights of the Administering Authority: It is to have full powers of legislation, administration and jurisdiction in the Territory. (Certain Agreements specify that it may administer the Territory as an integral part of its own territory, subject to the provisions of the Charter and the Agreement.) It may constitute the Territory into a customs, fiscal, or administrative union or federation with adjacent territories under its control. It may establish naval, military and air bases, erect fortifications, and take other measures necessary for defence, and may also use volunteer forces, facilities and assistance from the Territory in carrying out the obligations to the Security Council undertaken by the Administering Authority, as well as for local defence. It may organize public services and works on conditions it thinks just, may create fiscal monopolies if this serves the interests of the inhabitants and may create other monopolies under proper public control, provided that in the case of monopolies granted to private agencies there is no discrimination, on the grounds of nationality, against Members of the United Nations or their nationals. It may arrange for the co-operation of the Territory in any

⁴³ See Committee on Information from Non-Self-Governing Territories.

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.

**** Marshalls, the Carolines, and the Marianas (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.

regional or technical organization, specialized international agencies or other forms of international activity not inconsistent with the Charter.

(5) The terms of the Agreement may be altered or amended only in accordance with the provisions of the Charter.

(6) Any dispute between the Administering Authority and another Member of the United Nations concerning the interpretation or application of the Agreement which cannot be settled otherwise must be submitted to the International Court of Justice.

Most of these provisions are included in the Agreement for the Trust Territory of the Pacific Islands. The Trusteeship Agreement for this strategic area differs in certain respects from the Agreements for other Trust Territories:

In this Agreement the extent of the applicability of the functions and powers of Trusteeship Council is made dependent upon security requirements. Most-favoured-nation treatment is reserved for the Administering Authority and the question of air traffic rights is specifically reserved for separate agreements. The Administering Authority may, from time to time, specify certain areas in the Territory as closed for security reasons.

The Trusteeship Agreement for Somaliland under Italian Administration includes, in somewhat more specific terms than in other Agreements, the general provisions outlined above. In addition, it includes the following new features:

The Agreement provides that the Trust Territory shall receive its independence at the end of a fixed period of time—ten years. It provides that the Administering Authority be aided and advised by an Advisory Council. It includes, as an annex, a declaration of constitutional principles which expressly guarantees the rights and liberties of the population and proclaims that the sovereignty of the Territory is vested in its people, who shall be given a status of citizenship of the Territory; this declaration forms an integral part of the Agreement.

C. MEMBERS⁴⁴

Members Administering Trust Territories:

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

Members mentioned by name in Article 23 of the Charter and not administering Trust Territories:

China, USSR.

Members elected by the General Assembly:

El Salvador, Iraq (to serve until 31 December 1952); Dominican Republic, Thailand (to serve until 31 December 1953).

d. SUBSIDIARY BODIES OF THE TRUSTEESHIP COUNCIL

(1) Standing Committees

During 1952 the Council had the following Standing Committees:

(a) STANDING COMMITTEE ON ADMINISTRATIVE UNIONS⁴⁵

MEMBERS: China, New Zealand, Thailand, United States.

(b) STANDING COMMITTEE ON PETITIONS

The Committee meets during sessions of the Council and, when it considers necessary, between Council sessions. Subject to a review by the Council, it screens certain petitions concerning general problems and communications to the Council and decides whether any of them ought to be treated as a petition. It conducts, in consultation with a representative of the Administering Authority concerned, a preliminary examination of all petitions and recommends to the Council the action to be taken in each case.

The Standing Committee on Petitions consists of three members of the Trusteeship Council administering Trust Territories and three non-administering members appointed by the Council at the end of each session to serve until the close of the next session.

MEMBERS:

Australia, China, El Salvador, New Zealand, USSR, United States.⁴⁶

Belgium, China, El Salvador, New Zealand, USSR, United States.⁴⁷

(2) Ad Hoc Committees

The Council, from time to time, establishes ad hoc committees to deal with specific questions as required. The following were among those meeting or established during 1952:

(a) DRAFTING COMMITTEE ON THE QUESTIONNAIRE

The Council, on 14 July 1950, appointed the Drafting Committee on the Questionnaire to undertake a revision of the Provisional Questionnaire on the basis of which annual reports are transmitted by Administering Authorities on their administration of Trust Territories.

MEMBERS: Belgium, Dominican Republic, Iraq, United Kingdom.

(b) COMMITTEE ON RURAL ECONOMIC DEVELOPMENT

The Committee was established by the Council on 16 March 1951 to study the prevailing policies, laws and practices which in the Trust Territories relate to land, land utilization and the alienation of land.

MEMBERS: China, Dominican Republic, France, Thailand, United Kingdom, United States.

(c) COMMITTEE ON GENERAL PROCEDURE OF THE TRUSTEESHIP COUNCIL

The Committee was set up to review the general procedures of the Council.

MEMBERS: China, France, Iraq, United States.

⁴⁴ Italy, as an Administering Authority which is not a Member of the United Nations, takes part without the right to vote in the Council's deliberations concerning the Trust Territory of Somaliland and concerning general questions affecting the operation of the International Trusteeship System.

For election of members to take office on 1 January 1953, see p. 88.

⁴⁵ For the terms of reference of this Committee, see Y.U.N., 1951, pp. 85-87.

⁴⁶ Appointed on 13 March 1952 to serve until the end of the Council's eleventh session (24 July 1952).

⁴⁷ Appointed on 24 July to serve until the end of the Council's twelfth session in 1953, at the beginning of which China was to be replaced by the Dominican Republic.

(d) COMMITTEE ON THE ORGANIZATION AND FUNCTIONING OF VISITING MISSIONS

The Council established this Committee on 29 February 1952 to review its procedures with respect to the organization and functioning of visiting missions.

MEMBERS: Australia, Dominican Republic, Thailand, United Kingdom.

(e) COMMITTEE ON PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE WORK OF THE TRUSTEESHIP COUNCIL

This Committee was established by the Council on 26 March 1952 to study the possibility of associating more closely the inhabitants of the Trust Territories in the work of the Council.

MEMBERS: Dominican Republic, El Salvador, France, Thailand, United Kingdom, United States.

(3) Visiting Missions

In addition, periodic official visits to Territories under Trusteeship are made by Visiting Missions consisting of members appointed by the Council. During 1952 the Council sent one visiting mission to the Trust Territories in West Africa and approved the terms of reference and composition of a Visiting Mission to the Trust Territories in the Pacific.⁴⁸

(a) UNITED NATIONS VISITING MISSION TO TRUST TERRITORIES IN WEST AFRICA, 1952⁴⁹

MEMBERS: Roy Albert Peachey (Chairman) (Australia); Robert Scheyven (Belgium); H. K. Yang (China); Roberto E. Quiros (El Salvador).

5. The International Court of Justice**a. PROVISIONS OF THE CHARTER AND THE COURT'S STATUTE**

The Charter provisions concerning the Court are contained in Chapter XIV (Articles 92-96) which defines the positions of the Court in the United Nations organizations, 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. (For text, see above.)

b. PARTIES TO THE STATUTE OF THE COURT

All Members of the United Nations are ipso facto parties to the Court's Statute. Non-United Nations members may become parties in accordance with terms determined in each case by the General Assembly on the recommendation of the

Security Council. Switzerland and Liechtenstein have become parties to the Statute of the Court under this provision, Switzerland on 28 June 1948, Liechtenstein on 29 March 1950. The terms laid down by the General Assembly on the Security Council's recommendation were identical in both cases. They 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.

c. MEMBERS

The names and nationality of the judges, in order of precedence, with the year their term of office ends is:

Sir Arnold Duncan McNair (British) (President)	1955
Jose Gustavo Guerrero (Salvadorian)	
(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)	1961
E. C. Armand Ugon (Uruguayan)	1961
Sergei A. Golunsky (USSR)	1961

d. CHAMBER OF SUMMARY PROCEDURE

The members of the Chamber of Summary Procedure, elected for one year, beginning 6 May 1952 were:

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

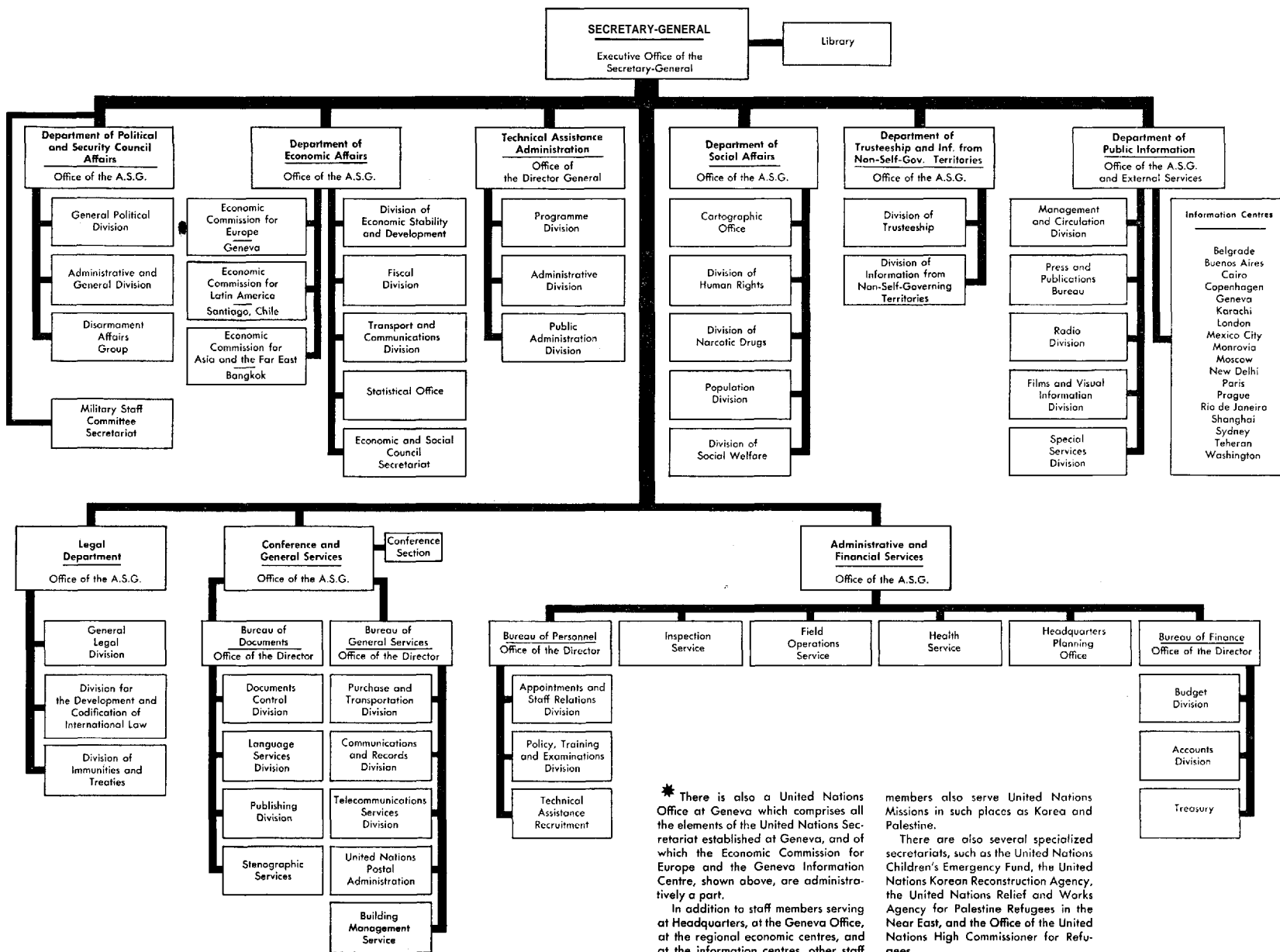
6. The Secretariat**a. CHARTER PROVISIONS**

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. (For texts, see above.)

⁴⁸ See also Chapter IV.

⁴⁹ For the terms of reference of this Mission, see Chapter IV.

STRUCTURE OF THE SECRETARIAT *



* There is also a United Nations Office at Geneva which comprises all the elements of the United Nations Secretariat established at Geneva, and of which the Economic Commission for Europe and the Geneva Information Centre, shown above, are administratively a part.

In addition to staff members serving at Headquarters, at the Geneva Office, at the regional economic centres, and at the information centres, other staff

members also serve United Nations Missions in such places as Korea and Palestine. There are also several specialized secretariats, such as the United Nations Children's Emergency Fund, the United Nations Korean Reconstruction Agency, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the Office of the United Nations High Commissioner for Refugees.

b. TERMS OF APPOINTMENT OF THE SECRETARY-GENERAL

The General Assembly, on 24 January 1946, decided (resolution 11(I)) that the terms of appointment of the Secretary-General should be such as to enable a man of eminence and high attainment to accept and maintain the position, and that the first Secretary-General should be appointed for five years, the appointment being open at the end of that period for a further five-year term. The Assembly and the Security Council, it was noted, were free to modify the term of office of future Secretaries-General. The Assembly also stated that because the Secretary-General was a confidant of many governments, it was desirable that no Member should offer him, immediately upon retirement, any governmental position, and that he, on his part, should refrain from accepting any such positions.

c. COMPOSITION

The Secretariat comprises a Secretary-General and such staff as the Organization may require. The Secretary-General during 1952 was Trygve Lie⁵⁰ and at the end of 1952 the Headquarters staff numbered 3,426⁵¹ drawn from 54 Member and 6 Non-member States.⁵²

d. ADMINISTRATIVE ORGANIZATION OF THE SECRETARIAT (AS OF 31 DECEMBER 1952)

The Secretariat is divided into eight Departments, a Technical Assistance Administration and an Executive Office of the Secretary-General. In part, it represents a division of responsibility according to the type of work performed. Each Department is headed by an Assistant Secretary-General; the Technical Assistance Administration by a Director-General; and the Executive Office by an Executive Assistant. Any Assistant Secretary-General may be designated to act for the Secretary-General in his absence. The main divisions of the Secretariat are as follows:

- Executive Office of the Secretary-General
- Department of Political and Security Council Affairs
- Department of Economic Affairs
- Technical Assistance Administration
- Department of Social Affairs
- Department of Trusteeship and Information from Non-Self-Governing Territories
- Department of Public Information
- Legal Department
- Conference and General Services
- Administrative and Financial Services

Also at Headquarters are offices of the secretariats of the Technical Assistance Board, the United

Nations International Children's Emergency Fund, the United Nations Korean Reconstruction Agency, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

Some staff members are assigned to service the three regional economic commissions and the various information centres throughout the world.

There is, further, a United Nations Office at Geneva which comprises all the elements of the United Nations Secretariat established at Geneva, of which the regional Economic Commission for Europe and the Geneva Information Centre are administratively a part.

Staff members at Headquarters or any other established office may be detailed to serve on United Nations Missions in such places as Korea, Libya and Palestine.

The functions of the various divisions of the Secretariat and their sub-divisions are described below.

(1) Executive Office of the Secretary-General

It is the responsibility of the Executive Office of the Secretary-General:

- To assist the Secretary-General in the over-all co-ordination of the work of the various departments of the Secretariat;

- To assist the Secretary-General in relations with Member and non-member Governments and their delegations and in relations with specialized agencies;

- To co-ordinate the work of the Secretariat in the preparation for and servicing of the General Assembly and to supervise the implementation of General Assembly resolutions;

- To assist the Secretary-General in the determination of United Nations policy;

- To co-ordinate the work of the United Nations missions;

- To co-ordinate the research and publications programme of the United Nations;

- To determine United Nations correspondence policy and to promote its implementation;

- To determine policy and advise on questions relating to United Nations protocol;

- To perform other functions not delegated to various departments of the Secretariat.

The Executive Office of the Secretary-General is organized into an Office of the Executive Assistant to the Secretary-General, a General Assembly Affairs and Administrative Section, a Protocol and Liaison Section, an Office of the Director of Co-ordination for Specialized Agencies and Economic and Social Matters, and a Specialized Agencies Section.

Under the general direction of the Executive Assistant to the Secretary-General, the United Nations Library is

⁵⁰ Mr. Lie was succeeded on 10 April 1953 by Dag Hammarskjöld.

⁵¹ Includes Field Service and Manual Workers.

⁵² The principal officers of the Secretariat are given in Annex V.

responsible, at Headquarters, for all library services, the acquisition of all library materials and the indexing of all United Nations documents. Its primary function is to provide to members of delegations, to the Secretariat and to the other organs of the United Nations the library materials and information needed in the execution of their duties.

(2) Department of Political and Security Council Affairs

It is the responsibility of the Department of Political and Security Council Affairs:

To provide substantive servicing and, in co-operation with Conference and General Services, general administrative and other services to the Security Council and its subsidiary organs (the Committee of Experts and the Committee on the Admission of New Members), the Disarmament Commission, the First Committee and the Ad Hoc Political Committee of the General Assembly, the Peace Observation Commission and its Balkans Sub-Commission, the Palestine Conciliation Commission, the Special Committee on the Admission of New Members established by General Assembly resolution 620 (VII), and sub-committees and working groups of the above-mentioned organs, and for the sub-committees and working groups of the Interim Committee of the General Assembly;

To assist the Secretary-General in the performance of his duties under Article 99 of the Charter;

To provide advice to the President of the Security Council on its rules of procedure;

To prepare working papers dealing with matters relating to the maintenance of international peace and security and to the promotion of international political co-operation;

To prepare surveys on international political events;

To advise with regard to the pacific settlement of disputes;

To undertake the preparation of and to maintain up-to-date a repertoire of the practice of the Security Council in accordance with General Assembly resolution 686 (VII);

To prepare studies, working papers, and other material relevant to the work of the Disarmament Commission and committees and working groups thereof;

To participate in investigations and advise on the security aspects of Trusteeship Agreements for strategic areas;

To participate, with the Military Staff Committee Secretariat, in the elaboration and application of military enforcement measures;

To establish and service, in co-operation with the Missions Co-ordination Committee, committees or commissions of investigation or conciliation created by the General Assembly or the Security Council;

To direct and co-ordinate the substantive work of such committees or commissions;

To provide Political Affairs Officers to serve as Principal Secretaries, Deputy Principal Secretaries, and Assistant Secretaries on such committees or commissions; and

To undertake any additional work assigned to it by the Secretary-General.

At the end of 1952, the Department consisted of the Office of the Assistant Secretary-General, the General Political Division, the Administrative and General Division, and the Disarmament Affairs Group.

The General Political Division consists of the Office of the Director and the following five sections: the General Political Problems and Procedures of Pacific Settlements Section, the European Affairs Section, the Middle East and African Affairs Section, the Asia and Pacific Affairs Section and the Western Hemisphere Affairs and Regional Arrangements Section.

The Administrative and General Division comprises three sections: the Substantive Servicing of the Security Council Section, the Substantive Servicing of Political Committees Section and the Administrative Section.

The Disarmament Affairs Group consists of the Office of the Director and two sections: the Atomic Energy Section and the Conventional Armaments and Enforcement Measures Section.

During 1952, the Department of Security Council Affairs changed its title to Department of Political and Security Council Affairs in order to describe more properly its functions.

By General Assembly resolution 502(VI) of 11 January 1952, the Atomic Energy Commission was dissolved and a Disarmament Commission was established under the Security Council. Further, as recommended by this resolution, the Security Council took action at its 571st meeting, on 30 January 1952, to dissolve the Commission for Conventional Armaments. Pursuant to these changes, the Department established, in March 1952, the Disarmament Affairs Group, headed by a Director, and including the two Sections previously servicing the Atomic Energy Commission and the Commission for Conventional Armaments. Also, during 1952, the number of sections of the Administrative and General Division was reduced to three.

MILITARY STAFF COMMITTEE SECRETARIAT

The secretariat of the Military Staff Committee serves the Committee in its various functions as defined by the Security Council. It is organized as an independent unit of the Secretariat because of the particular status of the Committee, and comprises three small sections dealing with administration, languages and documents.

(3) Department of Economic Affairs

It is the responsibility of the Department of Economic Affairs:

To provide such services and assistance as are required by the organs of the United Nations in respect of the economic and statistical problems with which they have to deal. These organs include particularly the Second (Economic and Financial) Committee of the General Assembly, the Economic and Social Council and its commissions, both functional and regional. The Department provides other branches of the Secretariat with economic and statistical information and advice, and prepares and publishes economic studies, reports, yearbooks and other periodicals.

In carrying out its responsibilities in the economic field, the Department maintains close touch with the specialized agencies in the fields of labour, food and agriculture, trade, transport and communications, banking and finance, and is responsible for servicing international conferences in these fields convened under the auspices of the United Nations. Operational responsibilities for the Expanded Programme of technical assistance and for the International Centre for Training in

Public Administration are assigned to the Technical Assistance Administration (see below). However, this Department has responsibility for study and research and the formulation of general policy related to economic development. To the extent that its resources permit, it assists the Technical Assistance Administration by policy guidance, provision of background material, assistance in selection and briefing of experts and the reviewing of reports in connexion with the programme.

The Department of Economic Affairs comprises the office of its Assistant Secretary-General (which includes the Regional Commissions Section) and the divisions described below.

The Division of Economic Stability and Development consists of the office of its Director; and sections dealing with economic stability, economic development, international financial and commercial relations and current trade analysis;

The Fiscal Division has, besides its Director's office, a budgetary research section and an international tax section.

In the Transport and Communications Division are the office of the Director and sections dealing with inland transport; aviation, shipping and communications; and research and documentation.

The Statistical Office consists of the office of its Director, and branches dealing with economic statistics, demographic and social statistics, and national accounts.

ECONOMIC AND SOCIAL COUNCIL SECRETARIAT

Although dealing with functions common to the Department of Social Affairs and the Department of Economic Affairs, for purely administrative purposes the Economic and Social Council secretariat forms part of the latter Department. It includes a unit responsible for consultative arrangements with non-governmental organizations.

REGIONAL SECRETARIATS

The secretariats of the regional economic commissions (Economic Commission for Europe, Economic Commission for Asia and the Far East, and Economic Commission for Latin America, located respectively at Geneva, Bangkok and Santiago de Chile) are appointed by the Secretary-General in accordance with the commissions' terms of reference.

The Office of the Assistant Secretary-General in the Department of Economic Affairs, with the assistance of the Regional Commissions Section, is responsible for formulating Headquarters policy for the guidance of the regional economic commissions' secretariats, and for ensuring that their activities are duly co-ordinated.

(4) Technical Assistance Administration

The Technical Assistance Administration is concerned with the operations under United Nations technical assistance programmes for: (1) advisory social welfare services; (2) economic development of under-developed countries; (3) assistance and training in public administration; and (4) the Expanded Programme of technical assistance for the economic development of under-developed countries. The first three programmes are financed by the regular United Nations budget; the Expanded Programme is financed by voluntary contributions from governments. The expanded programme is carried out in conjunction with the specialized agencies and is co-ordinated by the Technical Assistance Board (TAB).

Technical assistance is rendered only at the request of the government of the country concerned; it is primarily directed at aiding under-developed countries in their economic and social development.

The Technical Assistance Administration in meeting requests for assistance:

Provides experts in specified fields either to advise governments on over-all problems of development, as well as on specific problems and on priorities in the selection of development projects, or in carrying out such projects;

Arranges training facilities, through the provision of fellowships and scholarships enabling specialists to observe and to study in a foreign country the best techniques in their fields, and through the organization of national and regional training centres;

Arranges for international conferences of specialists for the purpose of exchanging information on a specific activity;

Distributes technical literature and films;

Arranges for demonstration projects and assists governments to obtain technical personnel and equipment for demonstration purposes.

The Technical Assistance Administration consists of the following units: an Office of the Director-General and Deputy Director-General with Central Administrative Services; Directorate of Co-ordination and Planning; Directorate of Operations, and Public Administration Division.

(5) Department of Social Affairs

It is the responsibility of this Department:

To provide substantive and technical services and secretariat assistance to the Third Committee of the Assembly, to the Economic and Social Council and to several of its functional committees, other ad hoc committees and working groups, and to all organs or branches of the Secretariat which may require information, technical advice and other services in the field of social welfare and development, human rights, demography and narcotic drugs;

To perform certain functions and undertake numerous activities under the international treaties and the resolutions and decisions of various organs of the United Nations in connexion with narcotic drugs, child welfare, traffic in women and children and in obscene publications (some of these functions had formerly been the responsibility of the League of Nations);

To maintain liaison and develop working relations on technical problems: on the one hand, with Member Governments and with the specialized agencies, inter-governmental bodies and other research and professional organizations which are concerned with international or regional problems in these and other social fields; and on the other hand, with the departmental and organizational units of the Secretariat which are interested in the social aspects of the work of the Organization;

To undertake the publication of periodicals, annual reports from governments, yearbooks and technical reports and studies in the social field;

To advise the Secretary-General on all matters in the social welfare fields as set out in Chapters IX and X (which deal respectively with international economic and social co-operation and with the Economic and Social Council) of the Charter;

To undertake such additional tasks as may be assigned to it by the Secretary-General.

The Department is organized into an Office of the Assistant Secretary-General, to which is attached a Cartographic Office, and Divisions for: Human Rights, Narcotic Drugs, Population, and Social Welfare.

The Cartographic Office implements Economic and Social Council resolutions on this subject and publishes an annual bulletin: World Cartography.

The Division of Human Rights is organized into an office of the Director, five sections and a secretariat pool. The five sections are concerned with: (1) the work of the Commission on Human Rights; (2) special aspects of the human rights programme such as freedom of information, forced labour, freedom of association (trade union rights) and the plight of survivors of concentration camps; (3) the work of the Commission on the Status of Women; (4) special aspects of the human rights programme, such as prevention of discrimination, protection of minorities, abolition of slavery and servitude and problems of statelessness; (5) the work of the Ad Hoc Commission on Prisoners of War, the preparation of the Yearbook on Human Rights and other human rights publications, communications relating to human rights, co-operation with specialized agencies and non-governmental organizations concerning human rights, and the development of human rights educational programmes.

The Division of Narcotic Drugs comprises three sections and a unit reporting daily to the Director. The three sections deal with: (1) implementation of existing treaties for the international control of narcotics; (2) research, and the study and formulation of new measures to strengthen international control; (3) providing secretariat services and liaison with United Nations organs and specialized agencies in this field. The Unit prepares the quarterly Bulletin on Narcotics and material for use by other United Nations organs.

The Population Division has the responsibility of providing the information on population trends and problems which is needed by the various offices of the United Nations and the specialized agencies. For this purpose the Division carries out studies of relationships between population trends and economic and social conditions, and studies of demographic aspects of mortality, fertility, and migration; and makes population estimates and forecasts as required.

The Division of Social Welfare comprises the Office of the Director and the following sections: a Social Policy and Development Section (concerned with standards of living, community organization and development, world social survey programmes of social development and migration); a Housing and Town and Country Planning Section (the duties of which include publication of a bulletin and maintenance of a reference centre); a Social Services Section (concerned with the organization and training of social workers, planning of social administration, family and child and youth welfare, rehabilitation of the physically handicapped, and liaison with UNICEF); a Social Defence Section (concerned with the publication of a bulletin on international criminal policy, implementation of the International Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others, and for the continuation of the functions of the International Penal and Penitentiary Commission); and a Social Reference Centre (providing technical information services).

(6) Department of Trusteeship and Information from Non-Self-Governing Territories

This Department:

Services the Trusteeship Council and the Committee on Information from Non-Self-Governing Territories as well as the Fourth Committee of the General Assembly (on questions arising under Chapters XI, XII and XIII of the Charter);

Informs the Secretary-General of problems and developments in the field of Trusteeship and information from Non-Self-Governing Territories;

Supplies other organs of the United Nations and departments of the Secretariat with information concerning Trust Territories and Non-Self-Governing Territories and the non-security aspects of strategic areas; and

Co-operates with various specialized agencies on matters relating to conditions in these Territories.

The Department consists of the Office of the Assistant Secretary-General, which is responsible for the planning, directing and co-ordination of the substantive and administrative functions of the Department, and the two divisions—the Division of Trusteeship and the Division of Information from Non-Self-Governing Territories.

The Division of Trusteeship is primarily concerned with the functioning of the International Trusteeship System. It provides required studies and documentation for the Trusteeship Council and assists it in: the drafting and consideration of Trusteeship Agreements; formulation of questionnaires concerning Trust Territories; examination of annual reports of Administering Authorities; acceptance and examination of petitions; and periodic official visits and surveys. The Division is organized into the office of its Director and five sections: Trusteeship Agreements, Questionnaires and Annual Reports, Petitions, Visits, and Territorial Research and Analysis.

The Division of Information from Non-Self-Governing Territories classifies, summarizes and analyses information transmitted under Article 73e of the Charter and other supplemental official information for the consideration of the General Assembly and its Committee on Information from Non-Self-Governing Territories. The Division undertakes studies on economic, social and educational conditions in Non-Self-Governing Territories, so that the information available may be included in relevant programmes of the United Nations and the specialized agencies. It publishes every three years full summaries and analyses of the information on these Territories transmitted by the Administering Members, and, in the intervening years, annual supplements. The Division is composed of the office of its Director; sections on African, Pacific-Asian and Caribbean areas; and a Specialists Unit.

(7) Department of Public Information

This Department:

Advises the Secretary-General on information policy;

Supervises and maintains facilities at Headquarters for representatives of all information media;

Maintains Information Centres away from Headquarters to disseminate United Nations information throughout the world;

Provides services for press coverage of United Nations activities and issues informative publications;

Organizes sales and distribution throughout the world of all informative material issued by the United Nations;

Broadcasts accounts of United Nations activities and provides facilities for commercial and governmental broadcasting services;

Co-ordinates, together with the information services of the specialized agencies, the dissemination of information on the United Nations and the specialized agencies through the Consultative Committee on Public Information for the United Nations and the Specialized Agencies;

Works with the United Nations Film Board, produces and encourages the production of films on subjects connected with the United Nations and all the specialized agencies;

Maintains and encourages film and photographic coverage of United Nations activities and maintains files of prints for publication purposes; and

Provides United Nations information material and related services to educational agencies, lecturers and non-governmental organizations.

The Department of Public Information is organized as follows: Office of the Assistant Secretary-General and External Services; Management and Circulation Division, with an Executive Office, an Overseas Administration Unit and a Sales and Circulation Section; Press and Publications Bureau, with the Central Information and Press Services, consisting of the Office of Press Services, the Central Editorial Services, the Regional and Overseas Services and the Features Services; and the Publications and Research Services, consisting of the Publications Services and the Research Services; Radio Division, with an English Language Service, European Service, French Service, Russian Service, Latin American Service, Middle Eastern Service, Chinese Service, South East Asia Service, Reports Desk, Technical Service, Television Service (live and kinescope), and a Record Library; Films and Visual Information Division, with a Films and Television Section and a Visual Information Section; and Special Services Division, with a Non-Governmental Organizations Section, Education Section and Headquarters Services.

At the end of 1952, eighteen information centres were serving the following areas:

Belgrade Information Centre—Yugoslavia.

Buenos Aires Information Centre—Argentina, Bolivia, Paraguay and Uruguay.

Cairo Information Centre—Egypt, Ethiopia, Iraq, Lebanon, Saudi Arabia, Syria and Yemen.

Copenhagen Information Centre—Denmark, Iceland, Norway, Sweden and, on request, Finland.

Geneva Information Centre—Switzerland, Germany, Italy, Austria, Turkey, Greece, Israel, Albania, Romania, Bulgaria, Hungary and Poland. It also provides coverage of all meetings held at the United Nations Office in Geneva.

Karachi Information Centre—Pakistan.

London Information Centre—the United Kingdom, the Netherlands, British dependencies and Ireland; makes transportation arrangements for Secretariat officials and representatives of governments travelling on United Nations business.

Mexico Information Centre—Mexico, Costa Rica, Dominican Republic, Cuba, Guatemala, Honduras, Nicaragua, Panama and El Salvador.

Monrovia Information Centre—Liberia.

Moscow Information Centre—USSR, Byelorussian SSR and Ukrainian SSR.

New Delhi Information Centre—Burma, Ceylon and India.

Paris Information Centre—Belgium, France, French dependencies and Luxembourg.

Prague Information Centre—Czechoslovakia

Rio de Janeiro Information Centre—Brazil.

Shanghai Information Centre—China, Indonesia, the Philippines and Thailand.

Sydney Information Centre—Australia and New Zealand.

Teheran Information Centre—Afghanistan and Iran.

Washington Information Centre. Differing from other centres because it is located so close to Headquarters, this Centre provides public information services to press and radio correspondents in Washington, to government agencies, embassies, legations, specialized agencies with headquarters in Washington and the United States information media, and channels to United Nations Headquarters information from specialized agencies having headquarters in Washington.

(8) Legal Department

This Department furnishes legal assistance and advice to the organs of the United Nations and other departments in the Secretariat; prepares studies and recommendations with a view to encouraging the progressive development of international law and its codification; participates in proceedings in the International Court of Justice and other judicial and arbitral bodies; and has responsibility for registration and publication of treaties and depositary functions entrusted to the Secretary-General. In fulfilling these functions, the Department:

Prepares legal studies and opinions on legal and constitutional questions arising in the United Nations, including questions on the interpretation and application of the Charter;

Furnishes legal advisers to the various commissions and committees of the United Nations and to international conferences;

Assists in the drafting of international conventions, resolutions, rules and regulations, and renders opinions on their interpretation;

Prepares legal statements to be submitted to the International Court of Justice and other judicial bodies on behalf of the Secretary-General;

Handles prosecution and negotiation of claims for the United Nations and, where required, furnishes legal services when claims are brought against the Organization;

Handles drafting and negotiation of important contracts;

Serves as the secretariat for the Sixth Committee of the General Assembly, the International Law Commission and ad hoc committees dealing with legal problems, and prepares the necessary documents for their sessions;

Carries on research work, prepares studies and memoranda to facilitate the work of the International

Law Commission in the field of development and codification;

Prepares publications consisting of judicial reports, collections of agreements, collections of national legislation, and other legal material;

Deals with questions concerning privileges and immunities and legal capacity of the United Nations;

Registers, records and publishes treaties and issues the United Nations Treaty Series;

Exercises depositary functions entrusted to the Secretary-General under multilateral international instruments;

Deals with questions relating to credentials of representatives to organs of the United Nations.

The Department comprises the Office of the Assistant Secretary-General; the General Legal Division; the Division for the Development and Codification of International Law and the Division of Immunities and Treaties.

(9) Conference and General Services

This Department makes arrangements and provides services for meetings of the General Assembly, the councils, commissions and committees and special conferences held under the auspices of the United Nations. In fulfilling these functions, the Department:

Co-operates with the departments concerned in scheduling conferences and meetings;

Co-ordinates the service activities and provides translation, interpretation, reproduction and graphic presentation services for conferences and for the Secretariat;

Edits and publishes the journals and official records of conferences and meetings;

Provides such general services as technical telecommunications facilities, purchasing, stores and warehousing, commercial arrangements for printing, transportation arrangements, and hotel accommodations; and

Handles mail, cables, telephone and telegraph services and supervises registries and files.

Conference and General Services consists of the Office of the Assistant Secretary-General, with a Conference Section; the Bureau of General Services; and the Bureau of Documents.

The Bureau of General Services consists of the Office of the Director and three divisions. The Purchase and Transportation Division is organized into the office of its Director and sections devoted to administration, purchase, standards and control, freight and supply, and travel. The Communications and Records Division is organized into archives, registry and communications sections. The Buildings Management Service comprises operations, safety, security and central services sections.

In addition to the above three divisions, there is also a Telecommunication Service and a United Nations Postal Administration. The Telecommunication Service plans, supervises and controls all phases of technical telecommunications and radio activities, including the design, construction, installation, replacement, maintenance and operation of broadcasting, television, sound recording, sound reinforcement and simultaneous interpretation equipment, whether owned or rented. The United Nations Postal Administration supervises United Nations activities in the international postal field. It oversees the preparation, printing and issuing of

United Nations postage stamps; distributes them for official purposes and provides facilities for selling such stamps to philatelists.

The Bureau of Documents is organized into its Director's Office and three divisions. The Documents Control Division consists of: Editorial Control and Production Control Sections. The Language Services Division consists of: Interpretation Service, Editor-Verbatim Reporting Section, English Section, French Section, Spanish Section, Chinese Section and Russian Section. The Publishing Division consists of: Printing Section, Reproduction Section and Distribution Section.

In addition to the above three divisions there is also a Stenographic Service which comprises an English, French, Spanish, Russian typing pool, together with an official correspondence unit.

Effective 16 September 1952 the functions, records and staff of the Buildings Management Service were transferred from Administrative and Financial Services to Conference and General Services.

(10) Administrative and financial Services

The Department of Administrative and Financial Services plans and executes the organizational, budgetary, personnel and fiscal programmes of the United Nations.

It is responsible for health, field and inspection services. It keeps the Secretary-General informed on problems and developments in these categories which require his attention. It provides staff assistance to the Secretary-General and to the Assistant Secretaries-General in administrative and organizational planning. It furnishes data required by the General Assembly, Councils, and other bodies with respect to administrative, financial and budgetary questions. The Department maintains relationships with all departments of the Secretariat, the Registrar of the International Court of Justice and the specialized agencies on administrative, financial and budgetary questions. The Department advises the Secretary-General on proposed programmes of the Organization, prior to their adoption, with respect to their personnel and financial implications. It arranges with Members for payment of their contributions, and carries out such other functions as the Secretary-General may assign.

Administrative and Financial Services is organized into the Office of the Assistant Secretary-General, two bureaus, three services, and the Headquarters Planning Office.

Attached to the Office of the Assistant Secretary-General are the secretariats of the Advisory Committee on Administrative and Budgetary Questions, the Administrative Tribunal, the Joint Appeals Board and Joint Disciplinary Committee; and the secretariat of the Joint Staff Pension Board and the United Nations Staff Pension Committee.

The Bureau of Finance is organized into the Office of the Director, the Budget Division, the Accounts Division and the Treasury.

The Bureau of Personnel consists of the Office of the Director; the Appointments and Staff Relations Division; the Policy, Training and Examination Division; and the Technical Assistance Recruitment Office.

The three services, reporting directly to the Assistant Secretary-General in charge of Administrative and Financial Services, are: Inspection Service, Health Service and the United Nations Field Operations Service.

The Headquarters Planning Office also reports to the Assistant Secretary-General for Administrative and Financial Services. It is the responsibility of the Headquarters Planning Office to plan and make the necessary arrangements for the construction and furnishing of the General Assembly building, conference area and Secretariat building, as well as for the landscaping, underground construction and other appropriate improvements to the site and its approaches.

(11) United Nations Office at Geneva

This Office, established at Geneva and comprising all the elements of the United Nations Secretariat established at Geneva, is the headquarters for the Economic Commission for Europe, the Geneva Information Centre, the Drug Supervisory Body, the Permanent Central Opium Board, the Office of the High Commissioner for Refugees and such other United Nations bodies as the Secretary-General may decide.

The Office serves as a centre for United Nations meetings in Europe and provides office space and conference and other facilities for a number of specialized agencies on a reimbursement basis.

(12) Technical Assistance Board

A separate executive secretariat services the Technical Assistance Board. The 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). 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. The Board in turn reports to the Technical Assistance Committee, a committee consisting of all members of the Economic and Social Council.

(13) Special Organizations at United Nations Headquarters

The secretariats of the Technical Assistance Board (described above), the United Nations International Children's Emergency Fund, the United Nations Korean Reconstruction Agency, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East, with offices at Headquarters, form part of the United Nations Secretariat, but do not administratively come under any of the eight Departments or the Technical Assistance Administration. The funds of these secretariats are not charged to the United Nations regular budget but to the budgets of the relevant agencies.

B. SESSIONS AND OFFICERS OF THE PRINCIPAL ORGANS AND MEETINGS OF SUBSIDIARY BODIES

1. "The General Assembly

The seventh regular session of the General Assembly opened at United Nations Headquarters on 14 October 1952. It adjourned on 22 December, was resumed on 24 February 1953⁵³ and adjourned sine die on 23 April 1953.

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

President: Lester B. Pearson (Canada)

Vice-Presidents:

China	Honduras
Egypt	USSR
France	United Kingdom
	United States

FIRST COMMITTEE

Chairman: Joao Carlos Muniz (Brazil)
 Vice-Chairman: Fernand van Langenhove (Belgium)
 Rapporteur: Thor Thors (Iceland)

SECOND COMMITTEE

Chairman: Jiri Nosek (Czechoslovakia)
 Vice-Chairman: Ernest G. Chauvet (Haiti)
 Rapporteur: Omar Kamel Haliq (Saudi Arabia)

THIRD COMMITTEE

Chairman: S. Amjad Ali (Pakistan)
 Vice-Chairman: Arturo Lezama (Uruguay)
 Rapporteur: Mrs. Zena Harman (Israel)

FOURTH COMMITTEE

Chairman: Rodolfo Muñoz (Argentina)
 Vice-Chairman: Awni Khalidy (Iraq)
 Rapporteur: J. V. Scott (New Zealand)

FIFTH COMMITTEE

Chairman: Brigadier-General Carlos P. Romolo (Philippines)
 Vice-Chairman: Finn T. B. Friis (Denmark)
 Rapporteur: K. G. Brennan (Australia)

SIXTH COMMITTEE

Chairman: Prince Wan Waithayakon (Thailand)
 Vice-Chairman: Manfred Lachs (Poland)
 Rapporteur: E. Wikborg (Norway) (until 9 December); J. V. Rechendorf (Denmark) (from 9 December)

⁵³ Since this Yearbook covers the calendar year 1952, it does not deal with the matters considered at the Assembly's resumed session in 1953.

AD HOC POLITICAL COMMITTEE

Chairman: Alexis Kyrrou (Greece)
 Vice-Chairman: Clarence L. Simpson (Liberia)
 Rapporteur: Joaquin E. Salazar (Dominican Republic)

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 granted by the Assembly at its seventh session the right to vote in the General Committee.

The Credentials Committee was composed of representatives of Lebanon (Chairman), Belgium, Burma, New Zealand, Panama, Paraguay, Sweden, USSR and United States.

In addition to meetings of sessional committees, the subsidiary bodies of the General Assembly held the following meetings⁵⁴ during the year:

Interim Committee of the General Assembly: fourth session—17 March at Headquarters (after electing its officers, it adjourned sine die).

Peace Observation Commission: 23 January in Paris and 12 December at Headquarters.

Balkan Sub-Commission: 31 January, in Paris; 2 May and 14 August at Headquarters.

Collective Measures Committee: 15 April to 6 October at Headquarters.

United Nations Commission to Investigate Conditions for Free Elections in Germany: 25 meetings in Paris, Geneva and Germany from 11 February to 5 August (when it adjourned sine die).

United Nations Commission for the Unification and Rehabilitation of Korea: 94 meetings at Pusan, Korea, from 5 September 1951 (when it submitted its report to the Assembly's sixth session) to 28 August 1952 (when it submitted its report to the seventh session).

United Nations Korean Reconstruction Agency: was in continuous operation during 1952, subject to the restrictions imposed by the continuance of military operations in the Republic of Korea and the requirements of military support.

United Nations Conciliation Commission for Palestine: one informal meeting on 28 January in Paris and 18 formal meetings from 24 April to 25 November at Headquarters.

United Nations Relief and Works Agency for Palestine Refugees in the Near East: in continuous operation during 1952.

Negotiating Committee for Extra-Budgetary Funds: 33 meetings from 16 January to 12 December, at Headquarters.

United Nations Tribunal in Libya: delivered its first judgment in Tripoli on 8 February.

United Nations Tribunal in Eritrea: formally installed in Asmara on 4 September.

Office of the United Nations High Commissioner for Refugees: was in continuous operation during 1952.

Ad Hoc Commission on Prisoners of War: second session—22 January to 9 February, at Geneva; third session—26 August to 13 September, at Geneva.

United Nations Advisory Council for Somaliland: 40 meetings from 1 April 1951 to 31 March 1952.⁵⁵

Ad Hoc Committee on South West Africa: 16 meetings (19th-34th) at Headquarters. All but the first three of these were held in private. In addition to these public and private meetings, the Committee held three informal meetings on 27 May, 2 June and 13 October 1952.

Committee on Information from Non-Self-Governing Territories: third session—11 September to 7 October 1952, at Headquarters.

Ad Hoc Committee on Factors (Non-Self-Governing Territories): 4 to 9 September, at Headquarters.

United Nations Administrative Tribunal: in January in Paris; 23 July to 11 August, in Geneva; on 2, and from 10 to 12 December, at Headquarters.

United Nations Staff Pension Committee: third session—28 July to 8 August, at Headquarters.

International Law Commission: fourth session—4 June to 8 August, at Geneva.

Headquarters Advisory Committee: 7 January, in Paris; 21 May, and 1 October, at Headquarters.

2. The Security Council

The Security Council is in continuous session.

During 1952 it held 42 meetings, its 570th to 611th, between 17 January and 23 December. The first four of these meetings were held at the Palais de Chaillot, Paris; all the others were held at United Nations Headquarters, New York.

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 1952:

January	France	Jean Chauvel
February	Greece	Alexis Kyrrou
March	Netherlands	D. J. van Balluseck
April	Pakistan	Ahmed S. Bokhari
May	Turkey	Selim Sarper
June	USSR	Yakov A. Malik
July	United Kingdom	Sir Gladwyn Jebb
August	United States	Warren R. Austin
September	Brazil	Joao Carlos Muniz
October	Chile	Hernan Santa Cruz
November	China	Tingfu F. Tsiang
December	France	Henri Hoppenot

The Military Staff Committee held a meeting once every two weeks; the first meeting was held on 10 January and the last on 29 December.

The Disarmament Commission held 28 meetings from 4 February to 9 October. (Its first meeting was in Paris, all others at Headquarters.)

⁵⁴ 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 or met sporadically throughout the year.

⁵⁵ From 1 April 1952 to 31 March 1953, the Advisory Council held 26 meetings, all of which, with the exception of one held at Headquarters in New York, were held at the Advisory Council's headquarters in Mogadiscio.

3. The Economic and Social Council

The Economic and Social Council held the following sessions:

First Special Session—24 March 1952

Fourteenth Session—20 May to 1 August 1952

Fourteenth Session (Resumed)—16 to 19 December 1952. All of the above meetings were held at United Nations Headquarters.

The officers for 1952, elected at the first meeting of the fourteenth session were:

President: Syed Amjad Ali (Pakistan)

First Vice-President: Jiri Nosek (Czechoslovakia)

Second Vice-President: Raymond Scheyven (Belgium)

Jiri Nosek presided over the special session in the absence of Hernan Santa Cruz, President for 1951 (Chile having ceased to be a member of the Council on 31 December 1951), and of Sir Ramaswami Mudaliar, First Vice-President.

In addition to sessional committees, the Council's subsidiary bodies and other special bodies reporting to it held the following sessions during 1952.

COMMITTEES OF THE COUNCIL

Council Committee on Non-Governmental Organizations: 8 and 9 April; 23 and 26 May; 16 and 23 June; 3, 18, 24 and 31 July, at Headquarters.

Interim Committee on Programme of Conferences: 24 January, at Paris; 8, 23, 25 July, at Headquarters.

Interim Co-ordinating Committee for International Commodity Arrangements: 1-3 October, at Geneva.

FUNCTIONAL COMMISSIONS

TRANSPORT AND COMMUNICATIONS COMMISSION:

Group of Experts on Road Signs and Signals: third session—23 June to 18 July, at Headquarters.

Committee of Experts on Licensing of Motor Vehicle Drivers: first session—29 September to 24 October, at Headquarters.

SOCIAL COMMISSION: eighth session—12 May to 29 May, at Headquarters.

COMMISSION ON HUMAN RIGHTS: eighth session—14 April to 14 June, at Headquarters.

Sub-Commission on Prevention of Discrimination and Protection of Minorities: fifth session—22 September to 10 October, at Headquarters.

Sub-Commission on Freedom of Information and of the Press: fifth session—3 to 21 March, at Headquarters.

COMMISSION ON THE STATUS OF WOMEN: sixth session—24 March to 5 April, at Geneva.

COMMISSION ON NARCOTIC DRUGS: seventh session—15 April to 9 May, at Headquarters.

Permanent Central Opium Board: 59th session—9 to 13 June, at Geneva; 60th session—1 to 10 September, at Geneva; and 61st session—11 to 18 November, at Geneva.

Drugs Supervisory Body: 37th session—18 to 20 June, at Geneva; 38th session—27 October to 3 November, at Geneva.

Permanent Central Opium Board and Drug Supervisory Body: seventh joint session—16 to 19 June, at Geneva; eighth joint session—4 to 10 November, at Geneva.

REGIONAL ECONOMIC COMMISSIONS

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

Coal Committee: 22nd session—25 to 26 January, at Geneva; 23rd session—28 February at Geneva; 24th session—30 May, at Geneva; 25th session—29 August, at Geneva; and 26th session—28 November, at Geneva.

Committee on Electric Power: ninth session—23 to 24 June, at Geneva.

Inland Transport Committee: special session—7 to 11 January, at Geneva; and eighth session—15 to 19 July, at Geneva.

Steel Committee: ninth session—14 to 15 February, at Geneva.

Timber Committee: ninth session—2 to 6 May, at Geneva; and tenth session—14 to 20 October, at Geneva.

In addition to the committees of the Economic Commission for Europe listed, various sub-committees and working groups held meetings during the year.

ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST: eighth session—29 January to 8 February, at Rangoon, Burma.

Committee on Industry and Trade: fourth session—18 to 26 January, at Rangoon.

Sub-Committee on Iron and Steel: fourth session—15 to 17 January, at Rangoon.

Sub-Committee on Electric Power: first session—11, 12 and 14 January, at Rangoon; and second session—29 September to 2 October, at Bangkok.

Highway Sub-Committee: first session—18 to 22 August, at Bangkok.

Working Party on Cottage and Small-Scale Industries: second session—28 July to 1 August, at Bangkok.

ECAFE/ILO/UNESCO Working Party on Fields of Economic Development Handicapped by Lack of Trained Personnel: second session—13 to 16 October, at Bangalore, India.

Working Party on Mobilization of Domestic Capital: second session—22 to 27 September, at Bangkok.

Working Party to Co-ordinate Work of Governments for the Adoption of Standard International Trade Classification: first session—7 to 19 January, at Bangkok.

Inter-Secretariat Working Party on Housing and Building Materials: first session—17 to 21 November, at New Delhi, India.

ECONOMIC COMMISSION FOR LATIN AMERICA:

Committee of the Whole: 11 to 14 February, at Santiago, Chile.

SPECIAL BODIES

UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND:

Executive Board: 22 to 24 April, at Headquarters; 6, 7, 10 and 13 October, at Headquarters.

Programme Committee: 14 to 17 April, at Headquarters; and 8 to 9 October, at Headquarters.

Committee on Administrative Budget: 18 April and 30 September, at Headquarters.

ADMINISTRATIVE COMMITTEE ON CO-ORDINATION: 14th session—4 April, at Headquarters; and fifteenth session—10 October, at Headquarters.

TECHNICAL ASSISTANCE BOARD: 17th meeting—29 January to 2 February, at Paris; eighteenth meeting—26 March to 2 April, at Headquarters; nineteenth meeting—1 to 6 May, at Geneva; 20th meeting—8 to 18 July, at Headquarters; 21st meeting—15 to 20 September, at Geneva; and 22nd meeting—8 to 16 December, at Headquarters.

Ad Hoc COMMITTEES

Ad Hoc Committee on Restrictive Business Practices: first session—29 January to 6 February, at Headquarters; second session—28 April to 9 May, at Headquarters; and third session—8 to 29 September, at Geneva.

Ad Hoc Committee on Forced Labour: second session—2 June to 1 July, at Headquarters; and third session—14 October to 22 November, at Geneva.

4. The Trusteeship Council

The Trusteeship Council held the following sessions:

Tenth session—27 February to 1 April

Eleventh session (first part)—3 June to 24 July

Eleventh session (second part)—19 November to 3 December. All of the above sessions were held at United Nations Headquarters.

The following were the officers of the Council during the year:

Tenth session:

President: Sir Alan Burns (United Kingdom)

Vice-President: Awni Khalidy (Iraq)

Eleventh session:

President: Awni Khalidy (Iraq)

Vice-President: W. D. Forsyth (Australia)

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

STANDING COMMITTEES

Standing Committee on Administrative Unions: ninth to 42nd meetings—5 March to 16 July, at Headquarters.

Standing Committee on Petitions: first to 40th meetings—18 March to 18 July, at Headquarters; and 41st and 42nd meetings—24 July to 15 October, at Headquarters.

Ad Hoc COMMITTEES

Drafting Committee on the Questionnaire: tenth session (third to fifth meetings)—28 February to 14 March, at Headquarters.

Committee on Rural Economic Development: seventh to eleventh meetings—31 July 1951 to 2 June 1952, at Headquarters.

Committee on General Procedure of the Trusteeship Council: first to seventh meetings—1 April to 26 May, at Headquarters.

Committee on Examination of Petitions: tenth session (first to third meetings)—29 February to 7 March, at Headquarters.

Committee on the Organization and Functioning of Visiting Missions: tenth session (first to fourth meetings)—4 to 25 March, at Headquarters.

Committee on Participation of the Indigenous Inhabitants of the Trust Territories in the Work of the Trusteeship Council: eleventh session (first and third meetings)—13 June to 15 July, at Headquarters.

5. The International Court of Justice

The officers of the Court during 1952⁵⁶ were:

President: Sir Arnold Duncan McNair (British)

Vice-President: Jose Gustavo Guerrero (Salvadorian)

Registrar: Edvard Hambro (Norwegian)

⁵⁶ On May 1952, in accordance with its Statute, the Court elected Sir Arnold Duncan McNair as its new President, the retiring President being Jules Basdevant (French). Mr. Guerrero was re-elected Vice-President.

C. MATTERS CONSIDERED BY THE PRINCIPAL ORGANS DURING 1952

1. The General Assembly

MATTERS CONSIDERED DURING THE SEVENTH REGULAR SESSION

Up to the Recess on 21 December 1952

* Indicates item was completed at second half of the seventh session in 1953

Agenda Item	Consideration and Action Taken
1. Opening of the session by the Chairman of the delegation of Mexico	Plenary meeting 376
2. Minute of silent prayer or meditation	Plenary meeting 376
3. Appointment of a Credentials Committee	Plenary meetings 376, 389, 410. Resolution 609(VII)
4. Election of the President	Plenary meeting 376

Agenda Item	Consideration and Action Taken
Constitution of the Main Committees and election of officers.	First Committee meetings 509, 510. Ad Hoc Political Committee meetings 1, 2. Second Committee meetings 193, 194. Third Committee meetings 418, 419. Fourth Committee meetings 249, 250. Fifth Committee meetings 342, 343. Sixth Committee meetings 304, 305. Plenary meeting 378
6. Election of Vice-Presidents	Plenary meeting 378
7. Adoption of the agenda	General Committee meetings 79-85. Plenary meetings 380-382, 386, 396, 406, 410, 411. Resolution 692 (VII)
8. Opening of the general debate	Plenary meetings, 379, 380, 382-385, 392-398
9. Report of the Secretary-General on the work of the Organization	
10. Report of the Security Council	Plenary meeting 390. Resolution 695(VII)
11. Report of the Economic and Social Council	Second Committee meetings 240-246. Third Committee meetings 465-469, 482. Plenary meetings 409, 411. Resolutions 628, 641, 642(VII)
12. Report of the Trusteeship Council	Fourth Committee meetings 279-291, 296-299, 309-314. Plenary meeting 410. Resolutions 653-656(VII)
13. Election of three non-permanent members of the Security Council	Plenary meeting 389
14. Election of six members of the Economic and Social Council	Plenary meetings 389, 390
15. Election of two members of the Trusteeship Council	Plenary meeting 390
16. Korea: ⁵⁷	
(a) Reports of the United Nations Commission for the Unification and Rehabilitation of Korea	First Committee meetings 511-536, 557. Fifth Committee meeting 368. Plenary meeting 399. Resolution 610(VII)
(b) Reports of the United Nations Agent General for Korean Reconstruction	First Committee meeting 557
17- Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission	Item placed on the agenda but not discussed before the Assembly recessed in December 1952*
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	Item placed on the agenda but not discussed before the Assembly recessed in December 1952*
19. Admission of new Members:	
(a) Status of applications still pending: report of Security Council	Plenary meeting 410. Resolution 620(VII) Ad Hoc Political Committee meetings 42-50
(b) Request for an advisory opinion from the International Court of Justice: draft resolution proposed by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua at the sixth session	Ad Hoc Political Committee meeting 42
20. Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East	Ad Hoc Political Committee meetings 3-7. Plenary meeting 391. Resolution 614(VII)
21. Eritrea: report of the United Nations Commissioner in Eritrea	Ad Hoc Political Committee meetings 40, 41. Plenary meeting 404. Resolution 617(VII)
22. Treatment of people of Indian origin in the Union of South Africa	General Committee meeting 79. Ad Hoc Political Committee meetings 8-12. Fifth Committee meeting 367. Plenary meeting 401. Resolution 615(VII)
23. Repatriation of Greek children: reports of the Secretary-General and of the international Red Cross organizations	Ad Hoc Political Committee meetings 22-24. Fifth Committee meetings 370, 372. Plenary meeting 404. Resolution 618(VII)
24. Appointment of members of the Peace Observation Commission	Plenary meeting 391. Resolution 696(VII)

⁵⁷ Consideration of item not completed before Assembly recessed in December 1952.

Agenda Item	Consideration and Action Taken
25. Economic development of under-developed countries:	Second Committee meetings 195-209, 231-240. Plenary meeting 411. Resolutions 621-627(VII)
(a) Financing of economic development of under-developed countries: report of the Economic and Social Council	Second Committee meetings 213-224. Fifth Committee meetings 372, 374
(b) Methods to increase world productivity: report of the Economic and Social Council	Second Committee meetings 239, 240
(c) Land reform: report of the Secretary-General	Second Committee meetings 224-230
(d) Technical assistance for the economic development of under-developed countries	Second Committee meetings 209—212
26. Co-ordination between the United Nations and the specialized agencies:	
(a) Administrative and budgetary co-ordination: reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions	Fifth Committee meetings 370, 374. Plenary meeting 409. Resolution 672(VII)
(b) Programme of conferences at Headquarters and Geneva: report of the Secretary-General	Fifth Committee meeting 375. Plenary meetings 398, 409. Resolutions 694, 698(VII)
27. Report of the United Nations High Commissioner for Refugees	Third Committee meetings 470-473. Plenary meeting 408. Resolutions 638, 639(VII)
28. Draft Protocol relating to the Status of Stateless Persons	Third Committee meetings 420, 421. Plenary meeting 391. Resolution 629(VII)
29. Freedom of information:	
(a) Problems of freedom of information, including the study of the draft Convention on Freedom of Information	Third Committee meetings 421-441. Plenary meeting 403. Resolutions 630-635 (VII)
(b) Dissemination by governments of resolutions adopted by organs of the United Nations and communicated to them by the Secretary-General	Third Committee meetings 431, 442. Plenary meeting 403. Resolution 636(VII)
30. Human rights. Recommendations concerning international respect for the self-determination of peoples: report of the Economic and Social Council	Third Committee meetings 443—464. Plenary meeting 403. Resolution 637(VII)
31. Administrative unions affecting Trust Territories: special report of the Trusteeship Council and report of the Committee on Administrative Unions	Fourth Committee meetings 292-295, 312. Plenary meeting 409. Resolution 649(VII)
32. The Ewe and Togoland unification problem: special report of the Trusteeship Council	Fourth Committee meetings 300-308, 313. Plenary meeting 409. Resolution 652(VII)
33. 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 251-263, 268, 292. Plenary meeting 402. Resolutions 643-645 (VII)
(a) Information on social conditions and development	
(b) Information on other conditions	
(c) Transmission of information	
34. Question of the renewal of the Committee on Information from Non-Self-Governing Territories	Fourth Committee meetings 264-267, 304, 306. Plenary meetings 402, 409. Resolution 646(VII)
35. Participation of Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories: report of the Committee on Information from Non-Self-Governing Territories	Fourth Committee meetings 268-270. Plenary meeting 402. Resolution 647(VII)
36. 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 271-279, 296. Plenary meeting 402. Resolution 648(VII)
37. Cessation of the transmission of information under Article 73e of the Charter in respect of the Netherlands Antilles and Surinam	Fourth Committee meetings 304, 312. Plenary meeting 409. Resolution 650(VII)
38. Question of South West Africa:	
(a) Implementation of the advisory opinion of the International Court of Justice: report of the Ad Hoc Committee on South West Africa	Fourth Committee meetings 304, 308, 312. Plenary meeting 409. Resolution 651 (VII)

Agenda Item	Consideration and Action Taken
(b) Examination of any report on the administration of South West Africa which may be transmitted by the Government of the Union of South Africa: report of the Ad Hoc Committee on South West Africa	
39. Financial reports and accounts, and reports of the Board of Auditors:	
(a) United Nations, for the financial year ended 31 December 1951	Fifth Committee meetings 343, 352, 366. Plenary meeting 398. Resolution 658(VII)
(b) United Nations International Children's Emergency Fund, for the financial year ended 31 December 1951	Fifth Committee meetings 343, 352, 366. Plenary meeting 398. Resolution 659(VII)
(c) United Nations Relief and Works Agency for Palestine Refugees in the Near East, for the period 1 January 1951 to 30 June 1952	Fifth Committee meeting 366. Plenary meeting 398. Resolution 660(VII)
(d) United Nations Korean Reconstruction Agency, for the financial year ended 30 June 1952	Fifth Committee meeting 366. Plenary meeting 398. Resolution 661 (VII)
40. Audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account	Fifth Committee meetings 367, 374. Plenary meeting 409. Resolution 673 (VII)
41. Supplementary estimates for 1952: report of the Secretary-General	Fifth Committee meetings 365, 366. Plenary meeting 398. Resolution 662(VII)
42. Budget estimates for the financial year 1953:	
(a) Budget estimates prepared by the Secretary-General	Fifth Committee meetings 344-356, 365-368, 370-375. Plenary meeting 410. Resolutions 674-677(VII)
(b) Reports of the Advisory Committee on Administrative and Budgetary Questions	
43. Report of the Negotiating Committee for Extra-Budgetary Funds	Plenary meetings 389, 393. Resolution 693(VII)
44. 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 367, 373. Plenary meeting 409. Resolution 666(VII)
(b) Committee on Contributions	Fifth Committee meetings 367, 373, 374. Plenary meeting 409. Resolution 667(VII)
(c) Board of Auditors	Fifth Committee meetings 368, 373. Plenary meeting 409. Resolution 668(VII)
(d) Investments Committee: confirmation of the appointment made by the Secretary-General	Fifth Committee meetings 368, 373. Plenary meeting 409. Resolution 669(VII)
(e) United Nations Administrative Tribunal	Fifth Committee meetings 368, 373. Plenary meeting 409. Resolution 670(VII)
(f) United Nations Staff Pension Committee	Fifth Committee meetings 369, 373. Plenary meeting 409. Resolution 671 (VII)
45. United Nations Joint Staff Pension Fund:	
(a) Annual report of the United Nations Joint Staff Pension Board for the year ended 31 December 1951	Fifth Committee meetings 369, 375. Plenary meeting 410. Resolutions 678-680(VII)
(b) Second actuarial valuation of the United Nations Joint Staff Pension Fund: report of the Actuary	
(c) Amendments to the regulations for the United Nations Joint Staff Pension Fund: report of the United Nations Joint Staff Pension Board	
46. Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions	Fifth Committee meetings 360-364, 368. Plenary meeting 401. Resolution 665 (VII)
47. Headquarters of the United Nations: report of the Secretary-General	Fifth Committee meetings 365, 366. Plenary meeting 398. Resolution 663(VII)
48. United Nations Postal Administration: report of the Secretary-General	Fifth Committee meetings 348, 354. Plenary meeting 391. Resolution 657(VII)
49. 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, 374, 375. Plenary meeting 410. Resolution 682(VII)

Agenda Item	Consideration and Action Taken
50. Measures to limit the duration of regular sessions of the General Assembly: memorandum by the Secretary-General	Fifth Committee meetings 367, 374. Sixth Committee meetings 346-354, 357. Plenary meetings 387, 388, 410. Resolution 689(VII)
51. Report of the International Law Commission on the work of its fourth session	Sixth Committee meeting 312. Plenary meeting 391. Resolution 683(VII)
52. International criminal jurisdiction: report of the Committee on International Criminal Jurisdiction	Sixth Committee meetings 321-328. Plenary meetings 400, 407. Resolution 687(VII)
53. Methods and procedures of the General Assembly for dealing with legal and drafting questions: report of the Special Committee	Sixth Committee meetings 306-312. Plenary meeting 391. Resolution 684(VII)
54. Question of defining aggression: report of the Secretary-General	Sixth Committee meetings 329-346. Plenary meeting 408. Resolution 688(VII)
55. Ways and means for making the evidence of customary international law more readily available: report of the Secretary-General	Fifth Committee meeting 366. Sixth Committee meetings 317-320. Plenary meeting 400. Resolution 686(VII)
56. Request of the Government of China for revision of the Chinese text of the Convention on the Prevention and Punishment of the Crime of Genocide	General Committee meeting 79. Sixth Committee meetings 354-357. Plenary meetings 400, 411. Resolution 691(VII)
57. Status of claims for injuries incurred in the service of the United Nations: report of the Secretary-General	Sixth Committee meetings 346, 357. Plenary meeting 410. Resolution 690(VII)
58. Giving priority to the codification of the topic "Diplomatic intercourse and immunities" in accordance with article 18 of the Statute of the International Law Commission	Sixth Committee meetings 313-317. Plenary meeting 400. Resolution 685(VII)
59. Use of the citation "Died for the United Nations" in respect to persons who, in certain circumstances, are killed in the service of the United Nations	General Committee meeting 79. Plenary meeting 401. Resolution 699(VI)
60. The Tunisian question	General Committee meeting 79. First Committee meetings 537-546. Plenary meeting 404. Resolution 611(VII)
61. Draft Convention on Political Rights of Women	Third Committee meetings 474-482. Plenary meetings 408, 409. Resolution 640(VII)
62. Question of the adoption by the Economic and Social Council and its functional commissions of Spanish as a working language	Fifth Committee meetings 356-360, 366, 367. Plenary meetings 400, 401. Resolution 664(VII)
63. Question of an appeal to the Powers signatories to the Moscow Declaration of 1 November 1943, for an early fulfilment of their pledges toward Austria	General Committee meeting 79. First Committee meetings 553-556. Plenary meeting 409. Resolution 613(VII)
64. Application of Japan for membership in the International Civil Aviation Organization	Plenary meeting 391. Resolution 697(VII)
65. The question of Morocco	General Committee meeting 79. First Committee meetings 547-553. Plenary meeting 407. Resolution 612(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	General Committee meeting 79. Ad Hoc Political Committee meetings 13-21. Fifth Committee meeting 367. Plenary meeting 401. Resolution 616(VII)
67. The Conciliation Commission for Palestine and its work in the light of the resolutions of the United Nations	Ad Hoc Political Committee meetings 25-39. Plenary meetings 405, 406.
68. Complaint of violation by Arab States of their obligations under the Charter, United Nations resolutions and specific provisions of the General Armistice Agreements concluded with Israel, requiring them to desist from policies and practices of hostility and to seek agreement by negotiation for the establishment of peaceful relations with Israel	Ad Hoc Political Committee meetings 39, 50. Plenary meeting 410. Resolution 619(VII)
69. Administration of the United Nations	Fifth Committee meetings 371, 372, 375. Plenary meeting 410. Resolution 681(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"	Re-allocated to the First Committee at the 406th plenary meeting. Item uncompleted as of 22 December 1952*

Agenda Item	Consideration and Action Taken
Additional Items:	
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	General Committee meeting 79. Item uncompleted as of 22 December 1952*
72. Measures to avert the threat of a new world war and measures to strengthen peace and friendship among the Nations	General Committee meeting 80. Included in the agenda at the 386th plenary meeting. Item uncompleted as of 22 December 1952*
73. Question of impartial investigations of charges of use by United Nations Forces of bacteriological warfare	General Committee meeting 80. Included in the agenda at the 386th plenary meeting. Item uncompleted as of 22 December 1952*
74. Appointment of the Secretary-General of the United Nations	General Committee meeting 81. Included in the agenda at the 396th plenary meeting. Item uncompleted as of 22 December 1952*
75. Report of the Secretary-General on personnel policy	General Committee meeting 84. Fifth Committee meeting 375. Included in the agenda at the 406th plenary meeting. Item uncompleted as of 22 December 1952*
76. Complaint of the mass murder of Korean and Chinese prisoners of war by United States military authorities on the island of Pongam	General Committee meeting 85. Plenary meeting 411

The following items on the provisional agenda were not included in the Assembly's agenda (see A/2225/Rev.1):

Additional assistance to Libya for financing its economic and social development: item 25 of the provisional agenda.	The General Committee recommended that this item should not be included in the agenda as it had been informed by the Secretary-General that the Economic and Social Council had deferred consideration of it until 1953.
Draft International Covenants on Human Rights and measures of implementation: item 31 (a) of the provisional agenda.	The General Committee recommended that this item should not be included in the agenda as the Economic and Social Council was not expected to deal with it until 1953.
Draft Code of Offences against the Peace and Security of Mankind: item 58 of the provisional agenda.	The General Committee recommended the deletion of this item on the understanding that the matter would continue to be discussed by the International Law Commission.

PARTICIPANTS IN THE GENERAL DEBATE AT THE ASSEMBLY'S SEVENTH SESSION

Representatives of 43 Member States took part in the general debate at the opening of the General Assembly's seventh session. The debate began at the 370th plenary meeting on 16 October, was adjourned, by a vote of 40 to 5, with 3 abstentions, at the 385th plenary meeting on 20 October, resumed at the 392nd plenary meeting on 10 November and concluded at the 398th plenary meeting on 25 November.

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

Country	Meeting	Date
Afghanistan	380	16 Oct.
Argentina	380	16 Oct.
Australia	384	20 Oct.
Belgium	392	10 Nov.
Bolivia	384	20 Oct.
Brazil	394	11 Nov.
Burma	394	11 Nov.
Byelorussian SSR	395	12 Nov.
Canada	382	17 Oct.
Chile	379	16 Oct.
China	396	13 Nov.
Colombia	397	13 Nov.
Costa Rica	393	11 Nov.
Cuba	379	16 Oct.
Czechoslovakia	385	20 Oct.
Dominican Republic	396	13 Nov.
Ecuador	383	18 Oct.
Egypt	395	12 Nov.
Ethiopia	398	25 Nov.
France	395	12 Nov.
Greece	392	10 Nov.
	393	11 Nov.

Country	Meeting	Date	Meeting	Subject	Date
India	393	11 Nov.			June
Indonesia	394	11 Nov.	581st	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	25
Iran	397	13 Nov.			
Iraq	379	16 Oct.			
	397	13 Nov.			
Israel	397	13 Nov.	582nd	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	25
Lebanon	397	13 Nov.			
Liberia	382	17 Oct.			
Netherlands	392	10 Nov.			
New Zealand	380	16 Oct.			
Pakistan	395	12 Nov.	583rd	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	26
Panama	383	18 Oct.			
Paraguay	383	18 Oct.			
Peru	384	20 Oct.			
Poland	382	17 Oct.			July
Sweden	379	16 Oct.	584th	Question of a request for investigation of alleged bacterial warfare	1
Syria	396	13 Nov.			
	397	13 Nov.	585th	Question of a request for investigation of alleged bacterial warfare	1
Ukrainian SSR	396	13 Nov.			
Union of South Africa	397	13 Nov.			
USSR	383	18 Oct.	586th	Question of a request for investigation of alleged bacterial warfare	2
United Kingdom	393	11 Nov.			
United States	380	16 Oct.	587th	Question of a request for investigation of alleged bacterial warfare	3
Uruguay	384	20 Oct.			
Yugoslavia	394	11 Nov.	588th	Question of a request for investigation of alleged bacterial warfare	8

2. The Security Council

MEETINGS AND MATTERS CONSIDERED DURING 1952

Meeting	Subject	Date	Meeting	Subject	Date
		January	591st	Admission of new Members	9
					August
570th	The India-Pakistan question	17	592nd	Consideration of Security Council's draft report to the General Assembly (closed meeting)	19
571st	The regulation and reduction of conventional armaments and armed forces	30			
	The India-Pakistan question		593rd	Consideration and approval of Security Council's draft report to the General Assembly (closed meeting)	26
572nd	The India-Pakistan question	31			
		February			September
573rd	Admission of new Members	6	594th	Admission of new Members	2
		April	595th	Admission of new Members	3
574th	Adoption of the agenda (The Tunisian question)	4	596th	Admission of new Members	5
575th	Adoption of the agenda (The Tunisian question)	10	597th	Admission of new Members	8
576th	Adoption of the agenda (The Tunisian question)	14	598th	Admission of new Members	10
		June	599th	Admission of new Members	12
577th	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	18	600th	Admission of new Members	16
			601st	Admission of new Members	17
			602nd	Admission of new Members	18
			603rd	Admission of new Members	19
			604th	Admission of new Members	19
					October
578th	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	20	605th	The India-Pakistan Question	10
					November
			606th	The India-Pakistan Question	6
					December
579th	Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial weapons	20	607th	The India-Pakistan Question	5
			608th	The India-Pakistan Question	8
580th	Adoption of the agenda (Question of a request for investigation of alleged bacterial warfare)	23	609th	The India-Pakistan Question	16
			610th	The India-Pakistan Question	23
			611th	The India-Pakistan Question	23

3. The Economic and Social Council

MATTERS CONSIDERED AT THE FIRST SPECIAL SESSION AND THE FOURTEENTH REGULAR SESSION

a. FIRST SPECIAL SESSION

Agenda Item	Consideration and Action Taken
1. Proposal for suspension of rule 19 in relation to the special session	Plenary meeting 569
2. Action required by General Assembly resolution 549(VI) of 5 February 1952: "Special session of the Economic and Social Council to precede the eighth session of the Commission on Human Rights"	Plenary meeting 569. Resolution 415(S-1)

b. FOURTEENTH SESSION

1. Election of the President and Vice-Presidents for 1952	Plenary meeting 570
2. Adoption of the sessional agenda	Plenary meetings 571-573, 653
3. World economic situation, including:	Plenary meetings 587, 589, 590, 591, 592, 593, 594, 598, 599, 600, 601
(a) Report of the Economic Commission for Europe;	Plenary meetings 594-596. Resolution 418(XIV)
(b) Report of the Economic Commission for Asia and the Far East;	Plenary meeting 597. Resolution 419(XIV)
(c) Report of the Economic Commission for Latin America;	Plenary meeting 596. Resolution 420(XIV)
(d) Report of the International Monetary Fund	Plenary meeting 584. Resolution 421 (XIV)
4. Full employment, and report of experts on the problem of reducing the international impact of economic recessions and on measures required to mitigate the effect of fluctuations in international markets on the economies of under-developed countries (Council resolutions 290(XI), paragraph 19, and 341 A (XII), paragraph 5):	
(a) Consideration of replies from governments to the Questionnaire on Full Employment;	Plenary meetings 635, 636, 638. Resolution 426(XIV)
(b) Report of experts on the problem of reducing the international impact of economic recessions and on measures required to mitigate the effect of fluctuations in international markets on the economies of under-developed countries (Council resolutions 290(XI), paragraph 19, and 341 A (XII), paragraph 5)	Plenary meetings 624, 625, 627-631, 635-638. Resolution 427(XIV)
5. Economic development of under-developed countries, including:	Plenary meeting 605
(a) Report of the International Bank for Reconstruction and Development on the question of creating an international finance corporation (Council resolution 368(XIII), paragraph 13);	Plenary meetings 606-610, 613-615. Resolution 416 C (XIV)
(b) Methods of financing economic development: report by the Secretary-General under Council resolution 368 C (XIII), paragraph 14 (b);	Council NGO Committee meeting 115. Plenary meetings 606-610, 613-615, 626, 627. Resolutions 416 A, D (XIV)
(c) Annual report of the International Bank for Reconstruction and Development;	Plenary meetings 605, 606. Resolution 416 B (XIV)
(d) Other aspects of economic development; ⁵⁸	Plenary meetings 638-640. Resolution 416 F (XIV)
(e) Methods to increase world productivity (General Assembly resolution 522(V));	Plenary meetings 623, 629, 634, 638. Resolution 416 E (XIV)
(f) Integrated economic development and commercial agreements (General Assembly resolution 523(VI)).	Plenary meetings 624, 625, 627, 628, 629, 636-638. Resolution 427(XIV)
6. International co-operation on water control and utilization (Council resolution 346(XII))	Plenary meetings 581, 582, 584-586. Resolution 417 (XIV)

⁵⁸ Changed during the session to "Integrated economic development".

Agenda Item

7. Development of arid land (General Assembly resolution 402(V))
8. Critical shortage of insecticides for public health purposes (Council resolution 377(XIII))
9. Production and distribution of newsprint and printing paper (Council resolution 374(XIII))
10. Migration: report by the International Labour Organisation (Council resolution 396(XIII))
11. Social activities:
 - (a) Development and concentration of the efforts in the social field of the United Nations and the specialized agencies;
 - (b) Report of the Social Commission (eighth session);
 - (c) Reports of the Executive Board of the United Nations International Children's Emergency Fund;
 - (d) Preliminary report on the world social situation;
 - (e) Housing and town and country planning (General Assembly resolution 637(VI))
12. Report of the Commission on Human Rights (eighth session)
13. Freedom of Information:
 - (a) Report of the Sub-Commission on Freedom of Information and of the Press (fifth session);
 - (b) Report of the Secretary-General on the result of the inquiry under Council resolution 414 B III (XIII), paragraph 28
14. Prevention of discrimination and protection of minorities: report by the Secretary-General under resolution 414 B II (XIII), paragraph 23
15. Allegations regarding infringements of trade-union rights received under Council resolution 277(X) (i.e., any allegations received before 25 March 1952)
16. Slavery: report by the Secretary-General under Council resolution 388(XIII)
17. Commission on the Status of Women:
 - (a) Report of the Commission on the Status of Women (sixth session);
 - (b) General Assembly resolution 532 A (VI)
18. Refugees:
 - (a) Annual report of the United Nations High Commissioner for Refugees (General Assembly resolution 428(V), annex, chapter H);
 - (b) Review of the composition of the United Nations High Commissioner's Advisory Committee for Refugees;
 - (c) Report of the International Refugee Organization
19. Narcotic drugs:
 - (a) International limitation of opium production (Council resolution 395(XIII));
 - (b) Report of the Commission on Narcotic Drugs (seventh session);
 - (c) Report of the Permanent Central Opium Board;
 - (d) Approval of the appointment of the Secretary of the Permanent Central Opium Board (article 20 of the 1925 Convention, as amended);

Consideration and Action Taken

- Plenary meetings 581, 582, 584-586. Resolution 417 (XIV)
- Economic Committee meeting 124. Plenary meeting 628. Resolution 422(XIV)
- Plenary meeting 654. Resolution 423(XIV)
- Plenary meeting 649. Resolution 439(XIV)
- Plenary meetings 641-646, 660, 661. Resolution 434 A (XIV)
- Council NGO Committee meeting 115. Social Committee meetings 223-226. Plenary meetings 659, 661, 663. Resolution 434 B-H (XIV)
- Council NGO Committee meeting 115. Plenary meetings 658, 659. Resolution 434 J (XIV)
- Plenary meetings 641-646, 660, 661. Resolution 434 A (XIV)
- Social Committee meetings 225, 226. Council NGO Committee meeting 115. Plenary meeting 659. Resolution 434 I (XIV)
- Plenary meetings 665-668. Resolution 440(XIV)
- Social Committee meetings 214-220. Plenary meetings 602-604, 658, 660. Resolution 442(XIV)
- Social Committee meetings 214-220. Plenary meetings 602-604, 658, 660. Resolution 442(XIV)
- Social Committee meetings 221, 222. Plenary meetings 620, 621, 627. Resolution 443(XIV)
- Plenary meetings 571, 648, 649. Resolution 444(XIV)
- Plenary meeting 650. Consideration postponed until fifteenth session
- Plenary meetings 575-580, 583. Resolution 445 A-H (XIV)
- Council NGO Committee meeting 115. Plenary meeting 579. Resolution 445 I (XIV)
- Plenary meetings 632-634. Resolutions 437, 438(XIV)
- Council NGO Committee meeting 115. Plenary meetings 574, 580. Resolution 436 A (XIV)
- Plenary meetings 580, 581, 583. Resolutions 436 B-G (XIV)
- Plenary meetings 574, 580, 583. Resolution 436 H (XIV)
- Plenary meeting 574

Agenda Item	Consideration and Action Taken
(e) Invitation to Libya to become a Party to the Protocol of 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 of 11 December 1946;	Plenary meeting 574. Resolution 436 I (XIV)
(f) Communication to governments of findings of the World Health Organization under article 8 of the 1925 Convention, as amended by the 1946 Protocol.	Plenary meetings 574, 580. Resolution 436 J (XIV)
20. Teaching of the purposes and principles, the structure and activities of the United Nations and the specialized agencies in schools and other educational institutions of Member States (Council resolution 314(XI))	Plenary meetings 655, 656. Resolution 446(XIV)
21. World conference on population (Council resolution 389(XIII))	Plenary meetings 588, 598. Resolution 435(XIV)
22. Programmes of technical assistance:	
(a) United Nations programme;	Plenary meetings 653, 654. Resolution 432(XIV)
(b) Expanded Programme	Technical Assistance Committee meetings 21-28. Plenary meetings 599, 600, 653, 654. Resolution 433(XIV)
23. Relief and rehabilitation of Korea (General Assembly resolution 410 A (V), section A, paragraphs 5 (d) and 13)	Plenary meeting 654. Debate on item postponed
24. Implementation of recommendations on economic and social matters (Council resolution 283(X))	Plenary meeting 663. Resolution 450(XIV)
25. Report of the International Labour Organisation	Plenary meetings 646-649. Resolution 447(XIV)
26. Report of the Food and Agriculture Organization of the United Nations	Plenary meetings 604, 610, 611. Resolution 424 (XIV)
27. Report of the World Health Organization.	Plenary meeting 612. Resolution 448(XIV)
28. Report of the United Nations Educational, Scientific and Cultural Organization	Plenary meetings 616, 617. Resolution 449(XIV)
29. Report of the International Civil Aviation Organization	Plenary meetings 621, 622. Resolution 428(XIV)
30. Report of the International Telecommunication Union	Plenary meeting 621. Resolution 429(XIV)
31. Report of the Universal Postal Union	Plenary meeting 622. Resolution 430(XIV)
32. Report of the World Meteorological Organization	Plenary meeting 622. Resolution 431 (XIV)
33. Co-ordination of the work of the United Nations and the specialized agencies:	
(a) Report of the Administrative Committee on Co-ordination;	Co-ordination Committee meetings 101-113. Plenary meeting 661, 662. Resolution 451 (XIV)
(b) Review of 1953 programmes and adoption of United Nations priority programmes in the economic and social fields (Council resolution 402 (XIII))	
34. Non-governmental organizations:	
(a) Applications and re-applications for consultative status;	Council NGO Committee meetings 112, 113, 116. Plenary meetings 572, 573, 586. Resolution 453 A (XIV)
(b) Hearings by the Council Committee on Non-Governmental Organizations under rules 80 and 81 of the rules of procedure of the Council and applications for hearings by the Council under rule 82;	Council NGO Committee meetings 114-117, 119-122. Plenary meetings 583, 633, 653.
(c) Review of organizations granted consultative status at the eighth and ninth sessions of the Council (Council resolution 413 B (XIII));	Council NGO Committee meeting 114. Plenary meeting 573. Resolution 453 B (XIV)
(d) Application of the Headquarters Agreement to representatives of non-governmental organizations (General Assembly resolution 606 (VI))	Council NGO Committee meeting 115. Plenary meetings 572, 618, 619. Resolution 455(XIV)

Agenda Item	Consideration and Action Taken
35. Amendment of the rules of procedure of the Council and the functional commissions: memorandum by the Secretary-General (Council resolution 414 (XIII))	Plenary meetings 642, 644, 650, 651, 652, 654, 664. Resolution 456 (XIV)
36. Calendar of conferences for 1953	Interim Committee on Programme of Conferences meetings 28-30. Plenary meetings 640, 657, 663, 664
37. Elections:	
(a) Election of one-third of the membership of the functional commissions of the Council;	Plenary meetings 657, 658. Resolution 457(XIV)
(b) Election of members of the Executive Board of the United Nations International Children's Emergency Fund (General Assembly resolution 417(V));	Plenary meeting 658
(c) Election of members of the Council Committee on Non-Governmental Organizations for 1952;	Plenary meeting 657
(d) Election of members of the Permanent Central Opium Board	Plenary meetings 658, 662, 664, 666
38. Confirmation of members of functional commissions of the Council	Plenary meeting 669
39. Summary of financial implications of actions of the Council	Plenary meeting 669
40. Arrangements regarding the report of the Council to the General Assembly	Plenary meeting 669
41. Work of the Council in 1953:	
(a) Basic programme for 1953;	(To be considered at the resumed fourteenth session during the seventh regular session of the General Assembly)
(b) Provisional agenda for the first regular session of 1953	
42. Disposal of items arising out of the seventh regular session of the General Assembly in 1952	(To be considered at the resumed fourteenth session during the seventh regular session of the General Assembly)
43. Food and famine (General Assembly resolution 525 (VI))	Plenary meetings 622, 623, 625. Resolution 425(XIV)
44. Question of assistance to Libya (General Assembly resolution 515 (VI))	Plenary meeting 654. Consideration postponed until 1953
45. Applications for membership in UNESCO	Plenary meeting 573. Resolution 452(XIV)
46. Communications concerning human rights (General Assembly resolution 542 (VI))	Plenary meeting 656. Resolution 441 (XIV)
Additional Items	
47. Request by the Commission on Human Rights for an extension of the duration of its current (eighth) session	Plenary meeting 585
48. Communications containing complaints against governments	Council NGO Committee meetings 117, 118. Plenary meetings 653, 661, 662. Resolution 454(XIV)
49. Programme of conferences at Headquarters and at Geneva	Plenary meetings 653, 663, 664. Resolution 458(XIV)

At its 632nd meeting, on 7 July 1952, the Council decided not to include the question of "humanitarian action on behalf of twenty-seven Spanish trade unionists" as a separate item on its agenda. The Council, however, discussed this question in connexion with item 15.

4. The Trusteeship Council

MATTERS CONSIDERED AT THE TENTH AND ELEVENTH REGULAR SESSIONS

a. TENTH SESSION

Agenda Item	Consideration and Action Taken
1. Adoption of the agenda	Plenary meeting 386
2. Report of the Secretary-General on credentials	Plenary meetings 386, 408
3. Examination of annual reports of Administering Authorities on the administration of Trust Territories:	

Agenda Item	Consideration and Action Taken
(a) Western Samoa, period ended 31 December 1950;	Plenary meetings 390-395,408,411
(b) Nauru, year ended 30 June 1951;	Plenary meetings 400-402, 409, 411
(c) New Guinea, year ended 30 June 1951;	Plenary meetings 394-401, 410, 411
(d) Trust Territory of the Pacific Islands, year ended 30 June 1951	Plenary meetings 403-407, 410, 411
4. Examination of petitions	Plenary meetings 397, 406, 408, 410, 411. Resolutions 428-462(X)
5. Arrangements for a periodic visiting mission to Trust Territories in West Africa	Plenary meetings 388, 389, 409, 410. Resolution 424 (X)
6. Revision of the Provisional Questionnaire: report of the Drafting Committee on the Questionnaire	Plenary meetings 389, 408. Action deferred to eleventh session, pending comments from members of Council
7. Progress report of the Committee on Rural Economic Development of the Trust Territories	Plenary meeting 411. Consideration postponed until the eleventh session
8. Report of the Standing Committee on Administrative Unions	Plenary meeting 410
9. General procedure of the Trusteeship Council (General Assembly resolution 432 (V))	Plenary meetings 387, 388, 411. Question referred to Committee on General Procedure; further consideration deferred until eleventh session
10. Examination of petitions (General Assembly resolution 435 (V) and resolution 552 (VI))	Committee on Examination of Petitions meetings 1-3, 8. Plenary meetings 387, 397. Resolution 425(X)
11. Organization and methods of functioning of visiting missions (General Assembly resolution 553 (VI) of 18 January 1952)	Plenary meetings 388, 409. Resolution 427(X)
12. Participation of the indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council (General Assembly resolution 554 (VI) of 18 January 1952)	Plenary meetings 388, 389, 408, 409. Resolution 426 (X)
13. The Ewe and Togoland unification problem (General Assembly resolution 555(VI) of 18 January 1952)	Plenary meetings 388, 389. Resolution 424(X)
14. Dissemination of information on the United Nations and on the International Trusteeship System in Trust Territories (General Assembly resolution 556 (VI) of 18 January 1952)	Plenary meetings 387, 388, 389. Resolution 423(X)
15. Educational advancement in Trust Territories (General Assembly resolution 557(VI) of 18 January 1952)	Plenary meetings 388, 410
16. Report of the Trusteeship Council (General Assembly resolution 559 (VI) of 18 January 1952)	Plenary meeting 388
17. Information on the implementation of Trusteeship Council and General Assembly resolutions relating to Trust Territories (General Assembly resolution 560 (VI) of 18 January 1952)	Plenary meeting 388. Resolution 422(X)
18. Rural economic development of the Trust Territories (General Assembly resolution 561 (VI) of 18 January 1952)	Plenary meeting 387. Resolution.421(X)
19. Administrative unions affecting Trust Territories (General Assembly resolution 563 (VI) of 18 January 1952)	Plenary meeting 387. Resolution .420(X)
20. Nomination and appointment of women as members of visiting missions (Economic and Social Council resolution 385 E (XIII))	Plenary meetings 388, 409. Resolution 427(X)
b. ELEVENTH SESSION (FIRST PART)	
1. Adoption of the agenda	Plenary meeting 412
2. Report of the Secretary-General on credentials	Plenary meetings 412, 454
3. Election of a President and Vice-President	Plenary meeting 412
4. Examination of annual reports:	
(a) Somaliland under Italian administration, 1951;	Plenary meetings 415-422, 440, 441, 443, 453
(b) Tanganyika, 1951;	Plenary meetings 425-430, 442, 450, 455
(c) Ruanda-Urundi, 1951;	Plenary meetings 421-424, 427, 429, 430, 442, 450

Agenda Item	Consideration and Action Taken
(d) Togoland under British administration, 1951;	Plenary meetings 430, 432-435, 450, 454
(e) Togoland under French administration, 1951;	Plenary meetings 436-441, 453, 455
(f) Cameroons under British administration, 1951;	Plenary meetings 443-446, 448, 453, 455
(g) Cameroons under French administration, 1951;	Plenary meetings 446-451, 455
5. Examination of petitions: reports of the Standing Committee on Petitions	Plenary meetings 413,414,431,432,440-443,450-453. Resolutions 468-640(XI)
6. Reports of the United Nations Visiting Mission to Trust Territories in East Africa, 1951	Plenary meetings 415-430, 440, 442, 450, 453. Resolution 464(XI)
7. Arrangements for a periodic visiting mission to Trust Territories in West Africa	Plenary meetings 427, 453. Resolution 465(XI)
8. Revision of the Provisional Questionnaire: report of the Drafting Committee on the Questionnaire	Plenary meetings 413, 414. Resolution 463(XI)
9. Report of the Committee on Rural Economic Development of Trust Territories	Plenary meeting 413
10. Administrative unions affecting Trust Territories: reports of the Standing Committee on Administrative Unions	Plenary meeting 454
11. General procedure of the Trusteeship Council: report of the Committee on General Procedure	Plenary meetings 413, 450, 453. Resolution 467(XI)
12. Report of the Committee on Participation of Indigenous Inhabitants of Trust Territories in the Work of the Trusteeship Council	Plenary meeting 454. Resolution 466(XI)
13. Educational advancement in Trust Territories (General Assembly resolution 557(VI)): report of the Secretary-General	Plenary meeting 450
14. Social advancement in Trust Territories (Assembly resolution 323(IV)): reports of the International Labour Organisation on migrant labour and penal sanctions for breach of contract by indigenous inhabitants	Plenary meetings 449, 450
15. Provision of information on the activities of the United Nations in Trust Territories (Trusteeship Council resolution 36(III)): report of the Secretary-General	Plenary meeting 454
16. Adoption of the report of the Trusteeship Council to the General Assembly	Plenary meeting 455. Resolution 641(XI)
c. ELEVENTH SESSION (SECOND PART)	
1. Adoption of the agenda	Plenary meeting 456
2. The Ewe and Togoland unification problem: special report of the Visiting Mission	Plenary meetings 456-460. Resolution 643(XI)
3. Arrangements for a periodic visiting mission to Trust Territories in the Pacific during 1953	Plenary meetings 456-458. Resolution 642(XI)
4. Programme of future meetings of the Council	Plenary meetings 456, 459

5. The International Court of Justice

During 1952 the Court dealt with the following matters:

Election of the President and Vice-President	Case concerning Rights of Nationals of the United States in Morocco
Election of the Chamber of Summary Procedure and committees	Anglo-Iranian Oil Company Case (Preliminary Objection)
Ambatielos Case	Minquiers and Ecrehos Case: determination of time-limits
	Nottebohm Case
	Administrative Questions

D. CONSTITUTIONAL AND ORGANIZATIONAL QUESTIONS

1. Question of Chinese Representation

At the General Assembly's seventh session, the representative of the USSR on 17 October 1952 submitted in the Credentials Committee a draft resolution (A/CR/L.1), in terms of which the Committee would recommend that the Assembly regard as invalid the credentials of the representatives of the "so-called Kuomintang Government" to the seventh session, since these credentials did not satisfy the requirements of rule 27⁵⁹ of the Assembly's rules of procedure.

The representative of the United States submitted a draft resolution (A/CR/L.2) which would:

(1) recommend that the Assembly postpone for the duration of its seventh session 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; and (2) find that the credentials of the representatives of the Government of the Republic of China conformed with the provisions of rule 27 of the Assembly's rules of procedure.

By 6 votes to 3 the Credentials Committee adopted a United States motion that the United States draft resolution should be put to the vote first, and it was adopted by the same vote. By 6 votes to 2, with 1 abstention, the Committee adopted a United States motion that the USSR draft resolution should not be put to the vote.

In its report (A/2234) to the Assembly, the Credentials Committee included China in the list of Member States whose Governments had submitted to the Secretary-General credentials for their representatives which completely satisfied the requirements of rule 27. The Committee recommended that the Assembly adopt a resolution: (1) approving its report; and (2) deciding to postpone for the duration of the seventh session 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.

The report was considered at the Assembly's 389th plenary meeting on 25 October 1952, when the representative of the USSR reintroduced (A/L.109) the draft resolution he had submitted to the Credentials Committee.

After separate votes on the individual paragraphs, the Assembly adopted the draft resolution recommended by the Credentials Committee, as a whole, by a roll-call vote of 42 to 7, with 11 abstentions (resolution 609 A (VII)). Voting was as follows:

In favour: Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Iceland, Iran, Iraq, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

Against: Burma, Byelorussian SSR, Czechoslovakia, Poland, Sweden, Ukrainian SSR, USSR.

Abstaining: Afghanistan, Bolivia, Guatemala, India, Indonesia, Israel, Pakistan, Saudi Arabia, Syria, Yemen, Yugoslavia.

The representative of the United States considered that, in view of this decision, the USSR draft resolution should not be put to the vote. This objection was sustained by 45 votes to 6, with 4 abstentions.

Assembly resolution 609 A (VII) read:

"The General Assembly

"1. Approves the first report of the Credentials Committee;

"2. Decides to postpone for the duration of its seventh session 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."

During 1952 the delegation of the USSR and certain other delegations raised the question of the representation of China in various other organs and bodies of the United Nation.

At the opening (386th) meeting of the Trusteeship Council's tenth session on 27 February, and at the opening (412th) meeting of its eleventh session on 3 June, the representative of the USSR proposed (T/L.232) that the representative of China should be excluded from the Council and that a representative of the People's Republic of China, appointed by the Central People's Government of China, should be invited to participate in the proceedings. On each occasion, on a motion by the representative of the United States, the Council decided, by 11 votes to 1, to postpone consideration of the Soviet proposal indefinitely.

In the Economic and Social Council, at the only plenary (569th) meeting of the first special session of the Council on 24 March, the representative of the USSR submitted a similar oral proposal. The Council, however, by 12 votes to 3, with 2 abstentions, adopted a proposal by the United States, in accordance with rule 49 of the rules of procedure, for adjourning indefinitely all

⁵⁹ Rule 27 states, among other things, that credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

debate on the question of the representation of China.

A similar draft resolution (E/L.353) was introduced by the representative of the USSR at the first plenary (570th) meeting of the Council's fourteenth session on 20 May. The Council again adopted, by 14 votes to 4, a motion by the representative of the United States for adjournment of the debate on the question of the representation of China for the duration of the fourteenth session.

A similar draft resolution was submitted orally by the representative of the USSR at the 112th meeting of the Council Committee on Non-Governmental Organizations on 8 April. The Chairman considered that the proposal was within the competence of the Committee. The representative of the United States, however, appealed, under rule 48 of the rules of procedure, and the Chairman's ruling was overruled by the Committee by 6 votes to 1.

Similar motions were put forward in the functional commissions listed below. The Acting Chairmen of those bodies, in ruling that the commissions were not competent to effect changes in their membership, recalled the terms of reference, 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 Member States 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.

Commission on Human Rights (eight session; 252nd meeting on 14 April): The ruling of the Chairman that a draft resolution by the USSR (E/CN.4/L.20) was not receivable, challenged by the representative of the USSR, was upheld by 9 votes to 4, with 5 abstentions.

Social Commission (eighth session; 176th meeting on 12 May): The ruling of the Chairman that the Commission was not competent to decide on the question raised by the USSR (E/CN.5/L.154), with which the Soviet representative expressed disagreement, was upheld by 14 votes to 2, with 1 abstention.

Commission on the Status of Women (sixth session; 101st meeting on 24 March): The Acting Chairman recalled that Assembly resolution 396(V) laid down that questions relating to the representation of a Member State in the United Nations were to be considered by the Assembly or by the Interim Committee when the Assembly itself was not in session; and that the Commission was consequently not competent to take a decision on the point of order raised orally by the representative of the USSR. The Acting Chairman invited representatives to vote on a motion that the Commission was in favour of observing Assembly resolution 396(V). The motion was adopted by 12 votes to 3.

Commission on Narcotic Drugs (seventh session; 156th meeting on 15 April): A motion by the representative of the United States, that the Commission should postpone until its next session any further discussion of the representation of China, raised orally by the representative of the USSR, was adopted by 10 votes to 3, with 1 abstention.

The question of the representation of China was also raised at the eighth session of the Economic Commission for Asia and the Far East, at the Commission's 90th meeting on 29 January. The ruling of the Chairman that an oral draft resolution by the USSR was out of order, challenged by the representative of the USSR, was upheld by the Commission in a roll-call vote of 9 to 2, with 3 abstentions. On the motion of the representative of Thailand, the Commission, in a roll-call vote of 10 to 4, decided to adjourn the debate on this question, on the ground that it would be inappropriate to discuss the issue while the question was under consideration by the General Assembly.

At the 90th meeting of the Executive Board of the United Nations International Children's Emergency Fund on 22 April, the Board, on a motion by the representative of the United States, by 16 votes to 4, with 2 abstentions, decided to adjourn the debate on an oral draft resolution submitted by the representative of the USSR.

2. Measures to Limit the Duration of General Assembly Sessions

The General Assembly at its sixth session decided to include this question in the provisional agenda of its seventh session.⁶⁰

It did so on the basis of a report by the Fifth Committee, which recommended that the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, the permanent delegations, and directly with Member States having no permanent delegations, should prepare in the interval between the sixth and seventh sessions a working paper with appropriate comments and recommendations. These consultations were held in the summer of 1952 and, on 1 October 1952, the Secretary-General circulated a memorandum (A/2206) on the subject to all Member Governments. Estimates (A/C.5/514) of the financial implications involved in certain of the measures recommended were also submitted.

The Secretary-General's memorandum contained general observations on the role and the functions of the General Assembly and suggestions regarding the agenda of regular sessions, the examination of items in plenary meetings and committees, the

⁶⁰ See Y.U.N., 1951, p. 30.

schedule of meetings, the consideration of items between sessions, the participation of the Chairman of the Ad Hoc Political Committee in the work of the General Committee, and other related matters. In an annex to the memorandum, it was suggested that certain rules of procedure relating to procedural motions in plenary meetings and in committees should be amended, namely: rules 73 and 113, concerning limitation of time to be allowed to speakers; rules 75 and 115, concerning adjournment of the debate of an item under discussion; rules 76 and 116, concerning closure of the debate on an item under discussion; rules 74 and 114, concerning closure of the list of speakers; and rules 74 and 112, concerning a point of order. It was also suggested that rule 38 concerning the voting rights of the Chairman of the Ad Hoc Political Committee in the General Committee should be amended.

Following a general discussion at the 387th and 388th plenary meetings on 23 and 24 October, the question was considered by the Sixth Committee at its 346th to 354th meetings from 10 to 18 December 1952. The Committee was instructed by the Assembly (A/C.6/339/Add.1) to consider and report on the amendments to the rules of procedure proposed by the Secretary-General and on any other amendment proposed by the members of the Sixth Committee.

During the discussions in the Sixth Committee, the opinion was generally expressed that the adoption of the proposed amendments to the Assembly's rules of procedure would only slightly affect the duration of sessions. There was general agreement that no undue restrictions should be placed on the right of each representative to express fully its views on any of the items placed on the General Assembly's agenda. The representatives of Australia, Brazil, Colombia, El Salvador, New Zealand and the United States, among others, laid stress on the good will which all delegations would have to display if sessions were to be effectively shortened.

The representatives of Australia, Canada, China, Denmark, Ecuador, France, Greece, the Netherlands, Norway, New Zealand, Sweden, the Union of South Africa, the United Kingdom and the United States, among others, were, in general, in agreement with most of the proposed amendments to the rules of procedure. They considered that the amendments were of limited scope and would mostly serve to clarify provisions already in effect and that their adoption would not curtail free discussions. The rules relating to the general powers of the President and the Chairmen of committees, they considered, already granted to the presiding

officers the powers of initiative envisaged in the amendments concerning the limitation of time and adjournment and closure of debate. They were confident that the presiding officers would not abuse their powers and would not be in a position to do so as the ultimate decision on matters of procedure would continue to rest in each case with the Assembly or the Committee concerned. The proposed limitation of the number of speakers on motions to limit the time and the number of speakers in a debate was justified, in their opinion, by similar restrictions on debates which already existed with respect to other procedural motions.

They also considered that a definition of a point of order would be useful because of the abuses which had occurred under the existing rules.

Finally, they thought it natural that the Chairman of the Ad Hoc Political Committee should be granted the same rights in the deliberation of the General Committee as the Chairman of the Main Committees.

The representatives of Czechoslovakia, Egypt, El Salvador, Guatemala, India, Iraq, Iran, Liberia, Mexico, Peru, Poland, Syria, the USSR and Uruguay, among others, expressed themselves, in general, as against the proposed amendments to the rules. They considered that these amendments, if adopted, would limit freedom of speech and hamper discussion without shortening the duration of the sessions. The General Assembly's rules of procedure, they said, had to be considered in the light of the principles of the Charter, which was based on the sovereign equality of States. Rules preventing representatives from expressing their views as fully as they wished would be detrimental to the interest of the smaller States. The length of the Assembly's sessions was essentially due to the nature and complexity of the problems confronting the United Nations and to the Assembly's eminent position among other United Nations organs. Often, they felt, long debates were necessary in order that solutions acceptable to all Members might be found and technical considerations should not outweigh political necessities.

Some representatives, in particular those of Czechoslovakia, Poland and the USSR, opposed the proposed amendment to the rule concerning the composition of the General Committee as unrelated to the question of the shortening of the session of the General Assembly. They also considered that the proposed definition of the point of order was unduly restrictive.

A number of representatives, including those of Czechoslovakia, India, Poland and the USSR, felt that the proposed granting of powers of

initiative to the President and the Chairman with respect to procedural motions would give to the presiding officers powers extending beyond the normal function of directing debates and would enable them to influence the course of discussions.

The representatives of Afghanistan, Brazil, Chile, Czechoslovakia, El Salvador, Iraq, Mexico, Poland, Syria, the USSR, Uruguay and Yugoslavia, among others, considered that motions to limit the time to be allowed to each speaker and the number of times each representative might speak on a question were of such importance that no restrictions should be placed on consideration of such motions.

Several representatives, including those of Afghanistan, India, Iran, Mexico, Pakistan, Syria and Uruguay, expressed their opposition to premature action and thought that there would be an advantage in establishing a special committee composed of representatives of Member States which would make a more complete study of the Secretary-General's memorandum and of other proposals which Members might wish to submit in the course of the coming year. They expressed the hope that such a thorough study would enable the General Assembly to arrive at final conclusions at its eighth session. Other representatives, including those of Brazil, Norway, the United Kingdom and the United States, doubted whether this proposal was strictly within the Sixth Committee's terms of reference and thought that the proposed amendments were sufficiently clear to make the establishment of a special committee unnecessary.

The representatives who favoured the fixing of a "closing date" of the session of the General Assembly instead of a "target date" as at present—in particular those of Argentina and Belgium—thought that such a provision would result in a more rational use of the time available to the General Assembly and would enable representatives to organize their work better. Other representatives, including those of Bolivia, India, the Ukrainian SSR, the United Kingdom, the USSR and Uruguay, were in favour of referring the proposal for study to the special committee which was established to study the question further (see below).

The Sixth Committee had before it two draft resolutions on the subject, one proposed by Norway (A/C.6/L.278) and the other by Argentina (A/C.6/L.279). Amendments to the Norwegian draft were submitted by Australia (A/C.6/L.282 and Rev. 1), Syria (A/C.6/L.280), Egypt (A/C.6/L.286) and Uruguay (A/C.6/L.284). Amendments to the Argentinian draft were submitted by Belgium (A/C.6/L.281) and Egypt (A/C.6/L.285). Voting on the two drafts and amendments

to them took place at the Committee's 353rd meeting on 17 December.

The Norwegian draft resolution (A/C.6/L.278), in the preamble, would have the Assembly:

- (1) refer to the Secretary-General's memorandum;
- (2) recognize the importance of appropriate measures to limit the duration of Assembly sessions; and (3) note the Secretary-General's observations and suggestions, in particular those regarding the participation of the Chairman of the Ad Hoc Political Committee in the General Committee and regarding the rules of procedure relating to points of order and limitation of debates. A revised version of the draft (A/C.6/L.278/Rev.1) omitted the references in the third paragraph to the participation of the Chairman of the Ad Hoc Political Committee and to the rules relating to points of order and limitation of debates. In its operative part, the Norwegian draft (A/C.6/L.278 and A/C.6/L.278/Rev.1) recommended that the General Assembly: (1) approve the amendments proposed by the Secretary-General to rules 38, 72(112), 73(113), 75(115) and 76(116); (2) decide that the study of factors affecting the duration of its sessions should be pursued by making use of the experience gained during Assembly sessions, and request the Secretary-General to submit when he considered it appropriate proposals likely to result in limiting the duration of sessions.

The Australian amendment (A/C.6/L.282 and Rev. 1) proposed:

- (1) the addition of rule 74(114) to the rules to be amended under the Norwegian draft resolution; and (2) the amendment of rule 88(127) to prohibit explanations of votes by members who had participated in the debate on the subject to be voted upon. The Australian amendment was withdrawn by its sponsor at the 351st meeting of the Committee on 16 December.

The Uruguayan amendment (A/C.6/L.284) proposed to replace the operative part of the Norwegian draft by provisions under which the General Assembly would:

- (1) appoint a special committee of eleven members;
- (2) request it to consider the Secretary-General's memorandum and any other relevant information communicated to it by Member States and to submit its recommendations to the eighth session of the Assembly; and
- (3) ask the Secretary-General to transmit the special committee's report to Member States for comments and to include the item in the provisional agenda of the eighth session. This amendment was adopted in separate votes, the first paragraph by 23 votes to 20, with 2 abstentions, the second by 26 votes to 20, with 2 abstentions, and the third by 27 votes to 20, with 1 abstention.

The Syrian amendment (A/C.6/L.280) proposed:

Deletion of the first operative paragraph of the Norwegian draft.

The Egyptian amendment (A/C.6/L.286):

Provided for the adoption by the General Assembly of the proposed amendment to rule 38 only.

In view of the adoption of the Uruguayan amendment, these two amendments were not voted on.

The preamble to the Norwegian draft resolution was adopted in separate votes ranging from 35 to 5, with 7 abstentions, to 29 to 11, with 8 abstentions.

The Norwegian draft as a whole, as amended, was adopted by 27 votes to 20, with 1 abstention.

At the 353rd meeting on 17 December, the USSR representative requested that, in accordance with rule 130⁶¹ of the rules of procedure, the Argentine draft should not be voted upon. He argued that the Sixth Committee had just decided to set up a special committee to consider the problem as a whole. The Committee rejected the USSR proposal by 21 votes to 20, with 5 abstentions.

At the 357th meeting on 19 December, a proposal by the Chairman to increase to fifteen the number of members of the special committee provided by the draft resolution was adopted by the Sixth Committee. At the same meeting the Chairman announced the proposed composition of the special committee.⁶²

The Argentine draft resolution would, in its preamble, have the General Assembly:

(1) refer to the Secretary-General's memorandum; (2) recognize the need for adopting measures to limit the duration of Assembly sessions without restricting the rights of States Members to speak fully and freely in the debates; and (3) state that the best method of limiting the duration of sessions was to prescribe a maximum time limit on duration in the rules of procedure, any items not dealt with within the prescribed time limit to be postponed until the following session. In its operative part, the draft resolution proposed to amend rule 2 of the rules of procedure as follows:

"On the recommendation of the General Committee, the General Assembly shall, at the beginning of its session, fix a closing date for the session.

"The duration of any regular session shall not exceed six weeks. Any items still pending at the close of the session shall be referred to the next regular session."

The Belgian amendment (A/C.6/L.281), which was accepted by Argentina at the 352nd meeting on 16 December, proposed the deletion of the third paragraph of the preamble and of the second paragraph of the proposed amended rule 2.

The Egyptian amendment (A/C.6/L.285) proposed to revise the text of the second paragraph of the preamble of the Argentina draft resolution to replace the reference to the rights of States Members to speak by a reference to "the rights of States Members, including the right to speak". This amendment was adopted by 42 votes to none, with 4 abstentions.

The Committee adopted the first paragraph of the preamble to the Argentine draft by 27 votes to 11, with 7 abstentions and the operative paragraph, as amended by Belgium, by 25 votes to 17, with 5 abstentions. The draft resolution as whole, as amended, was adopted by 26 votes to 15, with 6 abstentions.

The General Assembly at its 410th plenary meeting on 21 December considered the two resolutions proposed by the Sixth Committee (A/2349)—resolution A, originally the Norwegian draft as amended, and resolution B, originally the Argentine draft as amended. The Assembly also had before it a report (A/2326) by the Fifth Committee on the financial implications involved.

The Fifth Committee informed the Assembly that, subject to certain reservations, adoption of the proposals contained in paragraph 47 of the Secretary-General's memorandum (A/2206) would involve the provision of additional funds amounting to \$69,700 for a General Assembly session of nine weeks, or of \$41,000 for a session of eight weeks.

In this paragraph, the Secretary-General had proposed: (1) that arrangements should be made for the simultaneous meeting of five Main Committees of the General Assembly; and (2) that the number of representatives or alternate representatives of each Member State whose travel expenses are reimbursed by the United Nations should be increased from five to seven.

The Fifth Committee suggested that the Assembly consider the possibility of convening certain Main Committees with heavy agendas in advance of other Committees within the period of the session, and also consider limiting to one the increase in the number of delegation members to be reimbursed for travel expenses.

At the request of the USSR representative, separate votes were taken on parts of draft resolution A. The first paragraph of the preamble was adopted by 41 votes to 5, with 4 abstentions; the preamble, as a whole, by 41 votes to 6, with 3 abstentions; and the draft resolution as a whole by 53 votes to 1, with 4 abstentions.

Resolution B was adopted by 37 votes to 12, with 3 abstentions. The resolutions (689 A and B (VII)) read:

A

"The General Assembly,

"Having considered the memorandum submitted by the Secretary-General on measures to limit the duration of regular sessions of the General Assembly,

"Recognizing the importance of adopting appropriate measures to this end, consistent with the fulfilment of the Assembly's functions,

⁶¹ This rule reads as follows: "If two or more proposals relate to the same question, a committee shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. A committee may, after each vote on a proposal, decide whether to vote on the next proposal."

⁶² For members of the Committee, see below, in text of resolution as adopted.

"Noting the observations and suggestions presented by the Secretary-General with respect to the rules of procedure,

"1. Decides to establish a Special Committee of fifteen members, each representing one of the following Member States: Afghanistan, Australia, Chile, China, Czechoslovakia, El Salvador, France, Iran, Netherlands, Norway, Philippines, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay;

"2. Requests this Special Committee to consider the Secretary-General's memorandum and any other relevant information communicated to it by Member States and to submit its recommendations to the General Assembly at its eighth session;

"3. Requests the Secretary-General to transmit the Special Committee's report to Member States for comment and to include the item in the provisional agenda of the eighth session of the General Assembly."

B

"The General Assembly,

"Having examined the memorandum submitted by the Secretary-General on measures to limit the duration of regular sessions of the General Assembly,

"Recognizing the need for adopting measures calculated to accomplish this purpose, without restricting the rights of States Members, including the right to speak fully and freely in the debates of the plenary meetings and in the various Committees,

"Amends rule 2 of the rules of procedure of the General Assembly to read as follows:

"On the recommendation of the General Committee, the General Assembly shall, at the beginning of each session, fix a closing date for the session."

3. Methods and Procedures of the General Assembly for Dealing with Legal and Drafting Questions

At its sixth session, the General Assembly (resolution 597 (VI)) established a fifteen-member special committee to consider the question of its methods and procedures for dealing with legal and drafting questions⁶³ and to report to the Assembly's seventh session.

The Special Committee met from 27 August to 4 September 1952. In its report (A/2174) to the Assembly it recommended:

"(a) That, whenever any Committee contemplates making a recommendation to the General Assembly to request an advisory opinion from the International Court of Justice, the matter shall, at some appropriate stage of its consideration by that Committee, be referred to the Sixth Committee or to an ad hoc sub-committee established by the Committee concerned, for advice on the legal aspects and on the drafting of the request.

"(b) That, whenever any Committee contemplates making a recommendation to the General Assembly to refer a matter to the International Law Commission, the Committee shall, at some appropriate stage of its consideration, consult the Sixth Committee as to the advisability of such a reference, and on its drafting.

"(c) That, whenever any Committee contemplates making a recommendation for the adoption by the General Assembly of any amendment to the rules of procedure of the General Assembly, the matter shall, at some appropriate stage of its consideration by that Committee, be referred to the Sixth Committee for advice on the drafting of such amendment and of any consequential amendment.

"(d) That, when a Committee considers the legal aspects of a question important, the Committee should refer it for legal advice to the Sixth Committee or to an ad hoc sub-committee of the Committee concerned.

"(e) That, normally, the Chairman of a Committee shall, at the appropriate time, call upon the Vice-Chairman and the Rapporteur to join him for the purpose of proceeding, in consultation with the competent officials of the Secretariat, to examine the draft resolutions from the point of view of style, form and the use of technical terms, and, when appropriate, to suggest to the Committee such changes as they deem necessary."

The report of the Special Committee was considered at the Assembly's seventh session by the Sixth Committee at its 306th to 312th meetings from 20 to 28 October 1952.

The following Members, among others, supported, in general, the Special Committee's recommendations: Afghanistan, Argentina, Australia, Belgium, Brazil, Canada, China, Colombia, Cuba, the Dominican Republic, Ecuador, France, Greece, Israel, the Netherlands, Peru, Sweden, the United Kingdom and Yugoslavia. Those recommendations, in the view of some of these representatives, might not go as far as was desirable, but they were a compromise solution which represented an irreducible minimum of necessary improvements in the General Assembly's procedures. It was necessary, in their opinion, to make these provisions obligatory as optional provisions would make no change in the existing situation. They thought that the system proposed by the Special Committee would do much toward ensuring adequate consideration of legal questions, would be sufficiently flexible not to impair the efficiency of the General Assembly, and would respect the competence of Committees other than the Sixth.

The representatives of, among others, Czechoslovakia, Egypt, India, Iraq, Liberia, Pakistan, the Philippines, Poland, Syria, the USSR and the United States did not agree with the recommendations of the Special Committee. They thought that every Committee of the General Assembly should be left completely free to decide whether or not to adopt the methods and procedures proposed in the report. To make it obligatory to refer legal questions to the Sixth Committee for advice would in some degree subordinate other Committees to the Sixth, would make the procedure of the General Assembly excessively rigid, would

⁶³ See Y.U.N., 1951, pp. 25-29.

overburden the Sixth Committee and would consequently prolong the Assembly's sessions. Further, the attempt to separate the legal aspects from the political and other aspects of agenda items was, they considered, futile, and might provoke extensive debates. The Sixth Committee, in their view, was not primarily a body of legal experts but rather a meeting of representatives of governments; reference to the Sixth Committee would not, therefore, necessarily promote consideration of legal questions from a technical viewpoint.

Other representatives, including those of Chile, Egypt, El Salvador, Indonesia, Norway and Venezuela, recognized the force of some of the arguments advanced on both sides. They proposed that the General Assembly should recommend that certain procedures should be followed; this course would preserve some flexibility while making an improvement in the existing situation.

The Sixth Committee had before it a United Kingdom draft resolution (A/C.6/L.234), amendments to which were submitted by Egypt (A/C.6/L.235), by Argentina, Mexico and Peru jointly (A/C.6/L.236), by Poland (A/C.6/L.237), by Belgium (A/C.6/L.238), by Czechoslovakia (A/C.6/L.239), by El Salvador (A/C.6/L.240)—later revised by the sponsor (A/C.6/L.240/Rev.1), by Venezuela (A/C.6/L.243), and orally, by France and by the Union of South Africa.

The joint amendment of Argentina, Mexico and Peru was withdrawn in favour of a joint amendment by Argentina, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Panama and Peru (A/C.6/L.242), which was later revised by the sponsors (A/C.6/L.242/Rev.1). Part of the Polish amendment (A/C.6/L.237) was applied to the new joint amendment, and oral sub-amendments to it were proposed by Syria and Australia.⁶⁴

Following is a summary of the draft resolution and amendments, paragraph by paragraph, together with the Committee's action on them:

In the first paragraph of the preamble, the United Kingdom draft resolution (A/C.6/L.234) proposed that the Assembly state that it considered it essential to establish for its work "conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained." It would further state that to this end it was desirable to improve the Assembly's methods and procedures for dealing with legal and drafting questions.

(1) A Czechoslovak amendment (A/C.6/L.239) proposed the deletion of the second statement, but was subsequently withdrawn.

(2) A Venezuelan amendment (A/C.6/L.243) proposed to replace the first paragraph of the preamble by

two new paragraphs. The first of these was accepted by the United Kingdom (see text of resolution as adopted, below) and the second was withdrawn. It would have stated that the Assembly considered it necessary to ensure the greatest possible consistency in the style, form and language of its resolutions and accuracy in the use of technical terms contained in them.

The paragraph, as amended, was adopted by 36 votes to none, with 15 abstentions.

No amendments were proposed to the second paragraph of the preamble to the United Kingdom draft and it was adopted without dissent; it provided that the Assembly take note of the report and recommendations of the Special Committee.

The first operative paragraph of the United Kingdom draft resolution provided that the Assembly decide to follow the Special Committee's five recommendations (see above), which were set out in five subparagraphs. During the discussions the sponsor orally proposed that the Committee should "adopt" the Committee's recommendations rather than "decide" to follow them.

An amendment by El Salvador (A/C.6/L.240/Rev.1) proposed that the Assembly should "recommend" the five points made by the Special Committee rather than adopt these recommendations. It was adopted by 22 votes to 15, with 11 abstentions.

The first sub-paragraph in the United Kingdom draft reproduced the recommendation of the Special Committee concerning requests for advisory opinions from the International Court (see above). The following amendments were submitted to it:

(1) An amendment by Argentina, Mexico and Peru proposed (A/C.6/L.236) that the question of a request to the Court be referred to the Sixth Committee or that a joint committee should be appointed with representatives of the Sixth Committee, rather than that the question be referred to the Sixth Committee or an ad hoc committee set up by the Committee concerned. This amendment was withdrawn in favour of a joint amendment by Argentina, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Honduras, Mexico, Panama and Peru (A/C.6/L.242).

(2) This joint eleven-Power amendment, as revised by the sponsors (A/C.6/L.242/Rev.1), proposed that the question of a request to the Court should at some appropriate stage of its consideration be referred to the Sixth Committee or that the Committee concerned should propose that the matter be considered by a joint committee of itself and the Sixth committee.

Three sub-amendments were proposed to the eleven-Power amendment. A Polish sub-amendment (A/C.6/L.237) and a Syrian oral sub-amendment suggested that the reference to the Sixth Committee or a joint committee should be permissive rather than mandatory. The Polish sub-amendment, which proposed to replace the word "shall" by "may", was rejected by 24 votes to 22, with 3 abstentions. The Syrian oral sub-amendment, which would have stated that the question should be referred if the referring Committee when considering it "deems such action to be necessary and appropriate", was rejected by 22 votes to 21, with 7 abstentions. An Australian oral sub-amendment, as revised by the spon-

⁶⁴ The proposal and amendments, except for some revisions and withdrawals immediately prior to the vote, were tabulated in a working paper prepared by the Secretariat (A/C.6/L.244).

sor, proposed that the question might alternatively be referred to an ad hoc sub-committee of the Committee concerned. It was rejected by 19 votes to 11, with 20 abstentions.

The eleven-Power amendment (A/C.6/L.242/Rev.1) was adopted by 20 votes to 18, with 13 abstentions.

The Committee did not therefore vote on the other amendments which had been proposed to this subparagraph of the United Kingdom draft. These were an Egyptian amendment (A/C.6/L.235) and a Polish amendment (A/C.6/L.237) which had proposed the same changes as those subsequently proposed respectively in the Syrian and Polish sub-amendments to the eleven-Power amendment, and a South African oral amendment which would have specified that the proposed ad hoc sub-committee should be "an ad hoc legal sub-committee."

The second subparagraph of the United Kingdom draft resolution's first operative paragraph reproduced the Special Committee's recommendations concerning reference of matters to the International Law Commission. Two amendments were proposed to it, one by Egypt (A/C.6/L.235) and one by Poland (A/C.6/L.237), both aimed at making the proposed consultation with the Sixth Committee permissive rather than mandatory.

(1) The Polish amendment, which would have replaced the word "shall" by "may", was rejected by 24 votes to 21, with 4 abstentions.

(2) The Egyptian amendment, which would have had the Committee consult "if, during its consideration of the matter, it deems such action to be necessary and appropriate" was rejected by 24 votes to 23, with 5 abstentions.

The United Kingdom text of this subparagraph was adopted by a roll-call vote of 26 to 4, with 22 abstentions.

No amendments were proposed to the third subparagraph of the first operative paragraph, which reproduced the Special Committee's recommendations regarding the Assembly's rules of procedure, and it was adopted by 45 votes to 2, with 2 abstentions.

The fourth subparagraph, reproducing the fourth of the Special Committee's recommendations, provided that when a Committee considered the legal aspects of a question important it should refer it for legal advice to the Sixth Committee or to an ad hoc sub-committee of the Committee concerned. Four amendments were proposed to it.

(1) A Polish amendment (A/C.6/L.237) to delete the subparagraph was rejected by a roll-call vote of 24 to 24, with 4 abstentions.

(2) A Czechoslovak amendment (A/C.6/L.239) proposed to substitute a provision that when a Committee considered the legal aspects of a question important, it might consult the Sixth Committee. On a roll-call vote, the amendment was adopted by 27 votes to 18, with 7 abstentions. After the voting, it was pointed out that there was a discrepancy between the English original and the Spanish version of the amendment. The Chairman ruled that the discrepancy had led to a substantial misunderstanding on the part of Spanish-speaking representatives and that a new vote should be taken; this ruling was sustained by the Committee by 25 votes to 18, with 10 abstentions. On a new roll-call vote, the Czechoslovak amendment was rejected by 29 votes to 16, with 8 abstentions.

(3) A French oral amendment, as revised by the sponsor, would have the provision for reference to an ad hoc sub-committee replaced by a provision that the Committee should propose that the question be considered by a joint committee of itself and the Sixth Committee. It was adopted by 19 votes to 8, with 14 abstentions.

(4) A South African oral amendment to specify that the ad hoc sub-committee would be a legal one was therefore not voted on by the Committee.

The subparagraph, as amended, was adopted by 20 votes on 12, with 11 abstentions.

Three amendments were proposed to the fifth subparagraph, which reproduced the Special Committee's recommendations concerning the examination of draft resolutions from the point of view of style, form and the use of technical terms.

The Committee, by 23 votes to 22, with 7 abstentions, adopted a Polish amendment (A/C.6/L.237) to delete this subparagraph. It did not therefore vote on a Belgian amendment (A/C.6/L.238) which would have specified that the changes to be suggested should be "formal". Nor did it vote on a South African oral amendment to state that competent officers of the Secretariat to be consulted would be "legal" officials.

The second operative paragraph of the United Kingdom draft resolution provided that the Assembly direct that its decision to adopt the Special Committee's recommendations be embodied in an annex to the rules of procedure and that the annex should also contain paragraphs 19, 20, 29, 30, 35, 36, 38 and 39 of the Special Committee's report (A/2174).

A Polish amendment (A/C.6/L.237) to delete this paragraph was withdrawn. An amendment by El Salvador (A/C.6/L.240/Rev.1) to substitute the word "recommendations" for the word "decision" was adopted by the Committee by 27 votes to 4, with 16 abstentions.

The United Kingdom accepted an amendment by El Salvador to add paragraph 37 to the list of paragraphs of the Special Committee's report to be set forth in an annex. As thus amended, this part of the second operative paragraph was adopted by 17 votes to 14, with 18 abstentions.

The draft resolution as a whole was adopted at the Committee's 310th meeting on 28 October by 29 votes to 9, with 10 abstentions.

When the Committee's report (A/2247) was considered by the General Assembly at its 391st plenary meeting on 6 November, the representative of Czechoslovakia objected that there was not enough elasticity in the Committee's draft resolution and maintained that Committees of the Assembly other than the Sixth Committee should have greater freedom than was provided in the draft. He therefore orally proposed amendments which, by substituting "may" for "shall" or "should", would make reference to and consultation with the Sixth Committee permissive rather than mandatory except in the subparagraph relating to rules of procedure.

The amendments were adopted in the case of the first two subparagraphs (see 1 (a) and 1 (b) of text as adopted, below) by 25 votes to 20,

with 6 abstentions, and 22 votes to 20, with 7 abstentions, respectively. In the case of the fourth sub-paragraph (1 (d)) the amendment was rejected by 22 votes to 22, with 6 abstentions.

The resolution as amended was voted on by paragraphs and was adopted in votes ranging from 41 to none, with 8 abstentions, to 26 to 18, with 7 abstentions. It was adopted as a whole by 33 votes to 2, with 15 abstentions.

The representatives of Iran and the Philippines, explaining their votes in favour of the Czechoslovak amendments, stated that without them the resolution would make the work of the Assembly more complicated and cumbersome. The Iranian representative also considered that without these amendments the resolution would be dangerous as it would take away from the political Committees the right to decide the way in which they would ask for advisory opinions from the Court. Both representatives said they had abstained from voting on the draft resolution because, with the adoption of the Czechoslovak amendments, it became superfluous.

The representative of the Union of South Africa stated that he had opposed the Czechoslovak amendments because they made the recommendation permissive rather than mandatory. He however thought that the printing of the recommendations in the book of rules might help committees to realize the need for referring matters to an appropriate committee, and had therefore voted for the resolution as a whole.

The resolution adopted by the Assembly (684 (VII)) read:

"The General Assembly,

"Considering that it is desirable to introduce adequate methods and procedures for dealing with the legal questions with which it is concerned, while leaving its Committees sufficient latitude for conducting their proceedings concerning matters within their competence,

"Taking note of the report and recommendations of the Special Committee established under resolution 597 (VI) of 20 December 1951,

"1. Recommends:

"(a) That, whenever any Committee contemplates making a recommendation to the General Assembly to request an advisory opinion from the International Court of Justice, the matter may, at some appropriate stage of its consideration by that Committee, be referred to the Sixth Committee for advice on the legal aspects and on the drafting of the request, or the Committee concerned may propose that the matter should be considered by a joint Committee of itself and the Sixth Committee;

"(b) That, whenever any Committee contemplates making a recommendation to the General Assembly to refer a matter to the International Law Commission, the Committee may, at some appropriate stage of its consideration, consult the Sixth Committee as to the advisability of such a reference and on its drafting;

(c) That, whenever any Committee contemplates making a recommendation for the adoption by the General Assembly of any amendment to the rules of procedure of the General Assembly, the matter shall, at some appropriate stage of its consideration by that Committee, be referred to the Sixth Committee for advice on the drafting of such amendment and of any consequential amendment;

"(d) That, when a Committee considers the legal aspects of a question important, the Committee should refer it for legal advice to the Sixth Committee or propose that the question should be considered by a joint Committee of itself and the Sixth Committee;

"2. Directs:

"(a) That the terms of the foregoing recommendations shall be embodied as an annex to the rules of procedure of the General Assembly;

"(b) That the said annex shall also set out, verbatim, paragraphs 19, 20, 29, 30, 35, 36, 37, 38 and 39 of the report of the Special Committee."

4. Question of a Change in the Opening Date of Regular Sessions of the General Assembly

During the seventh session of the General Assembly, the Assembly's General Committee, at its 83rd and 84th meetings held on 15 and 18 December 1952, considered the organization of the work of the Assembly. At its 84th meeting, the General Committee, by 12 votes to none, with 2 abstentions, adopted a resolution recommending that the Assembly include in the provisional agenda of its eighth session an item entitled "Question of a change in the opening date of regular sessions of the General Assembly". The Secretary-General would be instructed to prepare a report on the question.

The report of the General Committee (A/-2329) was considered by the General Assembly at its 406th plenary meeting on 18 December. The draft resolution contained in the report was adopted by the Assembly by 56 votes to none.

The representative of the United States, in explaining his vote, declared that in his opinion the original purpose of the draft resolution was to consider the practical consequences of a change in the opening date from the third Tuesday in September to some time in April.

In voting in favour of the resolution, the representative of France explained that his delegation's intention was not that the Secretary-General's study should be limited merely to the consequences of changing the opening date to April, but that it should cover any substantial change of date, any decision to change it to two, three or more months after 1 September, or to three or four months earlier.

The resolution adopted (692 (VII)) read:

"The General Assembly

"Decides

"1. To include in the provisional agenda of the eighth session an item entitled "Question of a change in the opening date of regular sessions of the General Assembly"

"2. To instruct the Secretary-General to prepare a report, for circulation to Members not later than five weeks before the opening of the eighth session, on the practical consequences of a change in the opening date of regular sessions from the third Tuesday in September to another date earlier or later in the year."

5. Adoption of Spanish as a Working Language of the Economic and Social Council

In its discussions concerning revisions of its rules of procedure (see below), the Economic and Social Council at its fourteenth session had before it a proposal by Argentina, Cuba, Mexico, and Uruguay (E/L.364 and Corr.1) to make Spanish a working language of the Council and its functional commissions.

The question was discussed at the 642nd, 644th, 651st, 652nd and 654th plenary meetings of the Council on 14, 15, 18, 21 and 22 July 1952.

During the discussions, the representatives of Poland (E/L.425) and China proposed, respectively, that Russian and Chinese should also be made working languages.

The Council also had before it financial estimates by the Secretary-General (E/L.364/Add.1 and E/L.425/Add.1) on these proposals. He estimated that on a net basis the total annual cost of introducing Spanish as a working language would be \$312,300 if it were possible to recruit the greater part of the additional staff required on a six-month basis, or \$534,000 if it were necessary to recruit them on a full-time basis. For Russian, the estimated additional cost would be \$327,000 on a six-month basis or \$645,000 on a yearly basis; for Chinese, \$560,000 and \$900,000, respectively.

Certain representatives, including those of Belgium, Canada, Sweden, the United Kingdom and the United States, considered that the matter should be dealt with by the General Assembly, which had the budgetary authority.

A draft resolution (E/L.421) was, accordingly, submitted jointly by the United Kingdom and the United States, by which the proposal to make Spanish one of the working languages of the Council and its functional commissions would be noted by the Council and transmitted to the Assembly for its consideration. The Council, at the

same time, would note the Assembly's recommendation that English and French should be its working languages. The sponsors accepted amendments by Poland (E/L.426) and by China (E/L.428) to have the resolution cover also the proposals to make Russian and Chinese working languages.

The representatives of Argentina, Cuba, Mexico and Uruguay, in urging the adoption of Spanish as a working language, stressed that it was the language used by almost a third of the Members of the United Nations, which would thereby be enabled to co-operate more effectively in the work of the United Nations. They emphasized that the Council was master of its own procedure and held that it should amend its rules to include Spanish as a working language, leaving to the Assembly the question of budgetary approval. They thought that the estimates of the cost were excessive.

Accordingly, they proposed a joint amendment (E/L.427) to the United Kingdom-United States draft by which the Council would note the Assembly's decision to adopt Spanish as one of its working languages, decide to adopt Spanish as a working language of the Council, and request the Secretary-General to make provision for this in the budget. The proposal was supported by Egypt.

The representatives of Poland and the USSR urged the adoption of Russian as a working language, pointing out its widespread use; the USSR representative also referred to the fact that Russian had been used in many of the basic documents leading up to the Foundation of the United Nations.

The representative of China, stating that he proposed the use of Chinese to avoid discrimination between the official languages, expressed the hope that at some future date the United Nations would be able to use only one working language.

The representatives of Belgium and Sweden considered that a working language should be one that was truly international. The representative of Sweden held the view that all the three languages in question were "regional" rather than universal languages in the same sense as English and French; the representative of Belgium, on the other hand, drew a distinction between Spanish, a language used by nearly a third of the United Nations Members, and Russian and Chinese.

The representative of France, while sympathetic to the Latin American proposal, considered that, in view of the financial implications, the question should be decided by the Assembly. Accordingly, as a compromise, he proposed an amendment (E/L.431) to the joint amendment of Argentina, Cuba, Mexico and Uruguay. According to the French amendment, the question of making

Spanish a working language would be transmitted to the General Assembly "for its favourable consideration".

A Polish amendment (E/L.432) to the French amendment to include Russian as well as Spanish was defeated by 10 votes to 6, with 2 abstentions.

The French amendment was adopted by a roll-call vote of 10 to 5, with 3 abstentions, as follows:

In favour: Argentina, Belgium, Canada, Cuba, Egypt, France, Iran, Mexico, Philippines, Uruguay.

Against: China, Czechoslovakia, Poland, Sweden, USSR.

Abstaining: Pakistan, United Kingdom, United States.

The joint amendment of Argentina, Cuba, Mexico and Uruguay (E/L.427), as amended by France, was also adopted by 10 votes to 5, with 3 abstentions. The amended draft resolution as a whole was adopted by 10 votes to 4, with 4 abstentions, as resolution 456 C (XIV) at the Council's 654th plenary meeting on 22 July.

By this resolution, the Council referred to the proposals to make Spanish, Russian and Chinese working languages, noted that the Assembly had recommended that English and French should be adopted as working languages of the Council and also that the Assembly had adopted Spanish as one of its working languages, and transmitted to the Assembly for its favourable consideration the question of adopting Spanish as a third working language of the Council and its functional commissions.

The question was considered at the Assembly's seventh session at the 356th to 360th meetings of the Fifth Committee from 7 to 11 November and at the 400th and 401st plenary meetings of the Assembly on 5 December 1952.

The Secretary-General, in a report to the Committee (A/C.5/501), presented revised estimates of the cost of the proposal. He expressed the opinion that an additional \$472,000, subject to reduction through the application of the Staff Assessment Plan, would be required, with a further \$41,500 if the Economic and Social Council were to meet in Geneva and an additional \$27,500 if the Commission on Human Rights were also to meet in Geneva.

The Advisory Committee on Administrative and Budgetary Questions, in its sixth report to the Assembly's seventh session (A/2242), stated its opinion that for the year 1953 additional expenditure could be held within a maximum of \$350,000 gross, taking into account unavoidable delays in the recruitment of staff and the fluctuating workload of the Secretariat from January to March. The Committee recommended, however, purely on administrative and financial grounds,

that expenditure of the magnitude proposed should be deferred for the present.

The majority of the delegations supported the proposal that Spanish should be adopted as a working language of the Economic and Social Council and its functional commissions. Representatives speaking in its support either in the Fifth Committee or in plenary meeting included those of: Argentina, Belgium, Brazil, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, Egypt, France, Honduras, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Peru, the Philippines, Syria, the United States, Uruguay and Venezuela.

The arguments advanced were, broadly speaking, those which had been put forward in the Council. In particular, it was stressed: (1) Spanish was the language of almost a third of United Nations Members; (2) its adoption as a working language by the Economic and Social Council would increase the scope and effectiveness of the Council's work and, in particular, would enable the Spanish-speaking peoples to co-operate more effectively in furthering the work of the United Nations thereby enabling the Latin American members of the Council to contribute more; (3) the expenses involved would be offset by the added contribution to the work of the Organization and, in any case, it was a question of principle which should not be set aside for financial reasons; and (4) adoption by the Economic and Social Council and its functional commissions of Spanish as a working language was a logical corollary of its adoption by the General Assembly.

A number of delegations, including those of Argentina, Cuba, Ecuador, Honduras, Mexico and Uruguay, considered that the costs involved had been overestimated. They pointed out that, since Spanish was an official language, Spanish-speaking delegations were already entitled to ask for Spanish translations of important documents, and suggested that the estimated cost might also be cut by dispensing with a large part of the 1946-49 backlog of Spanish translation. They suggested that the figure of \$350,000 suggested by the Advisory Committee for 1953 should be a maximum one and that an attempt should be made to cut it further.

In this connexion, statements were made in the Fifth Committee by the representative of the Secretary-General and the Chairman of the Advisory Committee in explanation and justification of the estimates. The view was expressed that, while it was impossible to forecast exactly the cost for future years, it was clear that the figure of \$350,000 would be exceeded.

Certain representatives, including those of Australia and the United Kingdom, were prepared to

support the proposal provided that the target figure for the United Nations budget of \$48,700,000 (gross) previously adopted by the Fifth Committee⁶⁵ was not thereby exceeded. Otherwise, they stated, they might have to reconsider the position and move, purely on financial grounds, that the proposal be deferred.

Some representatives, in particular those of Denmark, Norway and Sweden, and also those of the Netherlands and New Zealand, opposed the proposal on budgetary and administrative grounds. The representatives of New Zealand and South Africa, who voted against the proposal in committee, abstained on the vote in plenary meeting. While paying tribute to the cultural contribution of the Spanish-speaking peoples to the United Nations and the ideals for which it stood, these representatives pointed out that there were some 25 Members which could not use their native languages in debate, much less have them adopted as working languages. The Council, they considered, had managed effectively with two working languages and a third would complicate its working arrangements. Further the adoption of Spanish as a working language would lead to similar claims for other languages, and it should also be taken into account that there were other Councils with subsidiary bodies to which the same arguments would apply. Moreover, the rules of procedure of the Economic and Social Council already provided for the translation of important documents into Spanish and these documents might, perhaps, be distributed more widely. It was necessary, these representatives emphasized, to limit expenditure to essential projects since many Members were having difficulty in meeting their commitments.

The adoption of Spanish as a working language, some representatives, in particular the representative of Norway, maintained, would directly benefit only a section of the total membership paying a small percentage of the total assessment; it would be an added burden on those countries which could not use their own languages. It was pointed out, on the other hand, by the representative of Mexico, among others, that the expenses of the United Nations were shared according to the capacity to pay and that Spanish-speaking countries in turn contributed to the expense of using English and French as working languages.

The representative of Norway considered that the use of a number of languages in the United Nations introduced an element of diversion whereas the purpose of the United Nations was unity; he was opposed to linguistic barriers separating representatives of different countries.

The USSR representative, while favouring the proposal to adopt Spanish, held that the same rights should be accorded to the Russian language, which, he said, was spoken by a greater number of people than Spanish and used by Member States bearing a larger proportion of the budget. Russian had, he pointed out, been one of the working languages in the conferences leading to the drafting of the Charter. He could not support the adoption of Spanish unless Russian were also adopted, as this would imply discrimination. The same view was expressed by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR.

Other representatives, including those of Brazil, Ecuador and Mexico, while not opposed to the adoption of Russian, considered that the proposal was unrelated to the item before the Committee and that it should come before the Assembly only if referred by the Economic and Social Council.

The representative of China favoured in principle the adoption of Spanish, but could not support the proposal for budgetary reasons, more particularly as the Fifth Committee had refused a credit of \$50,000 to clear up the backlog in Chinese translation.

The representatives of Egypt and Syria expressed the hope that Arabic would in the future be included in the working languages, particularly in view of the probable increase in Arab membership when more Arab countries gained their independence.

The Fifth Committee considered the following draft resolutions:

(1) A USSR draft resolution (A/C.5/L.186), according to which the Committee would recommend that the General Assembly concur in the adoption by the Council of Spanish and Russian as working languages of the Council and its functional commissions and would inform the Assembly of the consequential budgetary appropriations. This was rejected by 31 votes, to 9, with 12 abstentions.

(2) A United Kingdom draft resolution (A/C.5/L.188), according to which the Committee would recommend in principle the adoption of Spanish as a working language, inform the Assembly of the costs involved in 1953 and subsequent years, and recommend that the question of whether the funds should be appropriated in 1953 for the purpose should be considered by the Fifth Committee in the light of the over-all budgetary position. (This draft was later withdrawn in favour of the draft proposed by 22 countries, see below (5).)

(3) A draft resolution by Uruguay and other Latin American delegations (A/C.5/L.189), according to which the Fifth Committee would make the necessary budgetary provision and empower the Rapporteur to

⁶⁵ See pp. 113-14

inform the Assembly of the Committee's debates on the subject. (This was also withdrawn in favour of the draft proposed by 22 countries.)

(4) A United States draft resolution (A/C.5/L.190) which, revising and consolidating the Uruguayan and United Kingdom drafts, would have the Fifth Committee recommend that the General Assembly recommend that the Council adopt Spanish as a working language, inform the Assembly of the maximum cost in 1953 and include in the 1953 budget on first reading \$350,000 for the purpose.

(5) A joint draft resolution by the following 22 countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Philippines, the United States, Uruguay and Venezuela. According to this draft, the Fifth Committee would recommend: (1) that the Assembly endorse the opinion of the Economic and Social Council that Spanish should be a working language; (2) inform the Assembly that the amount estimated by the Advisory Committee (\$350,000 gross) was the maximum necessary for 1953; (3) decide to include this in the recommended budget for 1953; and (4) request the Rapporteur to inform the Assembly of the Committee's debates on the question.

Amendments submitted orally by Poland to delete paragraphs 1 and 3 of the 22-Power draft were rejected by 42 votes to 10, with 2 abstentions, and 37 votes to 12, with 6 abstentions, respectively; a third Polish amendment to redraft paragraph 2 to make it clear that the provision of \$350,000 in 1953 would only arise in the event that the Assembly approved the adoption of Spanish as a working language was rejected by 27 votes to 9, with 7 abstentions.

The joint draft resolution was adopted by a roll-call vote of 43 to 11, with 1 abstention.

The draft resolution proposed by the Fifth Committee (A/2283) was adopted by the General Assembly at its 400th plenary meeting on 5 December by 44 votes to 8, with 3 abstentions.

In its resolution (664 (VII)), the Assembly endorsed the opinion of the Economic and Social Council that Spanish should be adopted as a working language of the Council and its functional commissions.

6. Amendments to the Rules of Procedure of the Economic and Social Council and its Subsidiary Organs⁶⁶

At its thirteenth session the Council had adopted resolution 414 (XIII)⁶⁷ on the organization and operation of the Council and its commissions. This resolution had requested the Secretary-General to prepare and present to the Council at its fourteenth session draft revised rules of procedure in order that the rules might conform to the provisions of that resolution.

Consequently, the Council, at its fourteenth session, had before it a paper containing draft revised rules prepared by the Secretary-General (E/2212 A); also a draft revised rule 33 prepared by the Secretary-General (E/2274) in accordance with General Assembly resolution 533 C (VI)⁶⁸ concerning priorities and financial implications of new projects; a draft of proposed rules submitted by the Secretary-General based on the Council's recommendations contained in paragraph 39 of the Annex to resolution 402 B (XIII)⁶⁹ regarding the methods for inter-agency consultation (E/2212 B); and amendments suggested by the Secretary-General to the Council concerning its rules on records (E/2212).

The Council referred these drafts to a working party and at its 664th plenary meeting on 29 July 1952 adopted the revised rules of procedure by 15 votes to none, with 3 abstentions (456 A (XIV), annex.⁷⁰ It was decided that they would go into effect at the end of the current session, i.e., on 1 August 1952. The revised rules provided for changes in the rules concerning sessions (rules 1, 2, 4 & 6); agenda (rules 9, 10, 11, 12, 13, 14, 15, 16 & 17 (formerly rule 16)); secretariat (rule 34 (formerly rule 33)); records (rule 43 (formerly rule 42), 44, 46 (formerly rule 43)); participation and consultation with specialized agencies (rule 79 (formerly rule 12), and 80 & 81 (new rules)).

No changes were made in the rules of procedure of the functional commissions. In accordance with the recommendations of the Council (414 C. I (XIII)), the Regional Economic Commissions for Europe, Asia and the Far East, and Latin America examined their rules of procedure concerning date and place of future sessions and relations with non-governmental agencies. ECAFE and ECLA amended the rules concerning the date and place of sessions. ECAFE adopted and ECLA postponed consideration of changes relating to non-governmental organizations.

7. Revision of the Provisional Trusteeship Questionnaire

The Drafting Committee on the Questionnaire, appointed by the Trusteeship Council in July

⁶⁶ See above for the adoption of Spanish as a working language of the Council.

⁶⁷ See Y.U.N., 1951, pp. 59-67.

⁶⁸ See Y.U.N., 1951, pp. 585-86.

⁶⁹ See Y.U.N., 1951, pp. 580-81.

⁷⁰ For the revised rules of procedure adopted by the Council at its fourteenth session, see Annex II. For complete text of revised rules, see E/2336.

1950 to prepare a revised text of the Questionnaire, reported (T/L.246 and Corr.1) to the Council at its tenth session, as had been requested by Council resolution 342(IX) of 5 June 1951.⁷¹ The Committee informed the Council that in the revised Questionnaire it had adopted most of the suggestions made in the observations received from the United Kingdom, New Zealand, Belgium, France and Italy, by Members of the Fourth Committee during the General Assembly's sixth session, on 26 March 1952, and at the 413th and Secretary-General. Suggestions by Australia which tended to eliminate much of the information required were not adopted, the Committee stated.

The Drafting Committee's report was considered by the Council at the 408th meeting of its tenth session, on 26 March 1952, and at the 413th and 414th meetings of its eleventh session, on 4 and 6 June 1952.

The representative of the United Kingdom stated (T/SR.408) that he was prepared to vote for the revised Questionnaire subject to the following reservations, which had been recorded in the Drafting Committee's report:

(1) that the Administering Authorities might submit their reports in the narrative form and not in the form of answers to each question in the revised Questionnaire, provided that each question was covered and that the report contained an index showing where each answer could be found;

(2) that at least five years should be allowed to elapse before the Questionnaire was revised again, as officers in the Trust Territories became accustomed to a given Questionnaire in preparing annual reports;

(3) that there was no need to repeat in each annual report certain information which did not vary from year to year provided that reference was made to the report in which the information had been contained;

(4) that Administering Authorities which had already transmitted required information to one of the specialized agencies should be allowed to append their report to the agency to their annual report rather than repeat the information in toto in the body of the latter.

The representatives of Australia, Belgium and France associated themselves with these reservations and indicated that they would accept the Questionnaire on the understanding that it would form the basis for the preparation of annual reports. The representative of Belgium also made reservations with regard to part III of the draft questionnaire on international regional relations involving Trust Territories, especially questions 9 and 10, which he considered a repetition of questions in other parts of the draft text, and the third sub-paragraph of question 14 (part V), which, he stated, was pointless since the whole annual report was in reply to it. The representative of France associated himself with these further reservations.

The representative of New Zealand stated that his Government intended to continue submitting its reports in narrative form; it would cover all the questions and provide an index to show where the answer to each question could be found.

On the other hand, the representatives of the Dominican Republic, China, El Salvador and the USSR expressed strong opposition to any reservation being made with regard to the adoption of the Questionnaire. The representative of the Dominican Republic also referred to Article 88 of the Charter as stating specifically that the Trusteeship Council should formulate a questionnaire for each Trust Territory. Pointing out that the Administering Authorities had frequently complained that certain questions in the Provisional Questionnaire were difficult to answer with respect to a given Territory since they were not strictly applicable to that particular Territory, he considered that the General Assembly should be asked for its interpretation of Article 88 and suggested that there should be a master questionnaire with several variations to meet the needs of each Territory.

An amendment (T/L.272) to the draft revised Questionnaire was submitted by the Dominican Republic during the eleventh session of the Council. This amendment, which was unanimously adopted by the Council on 6 June, related to the status of women and provided, *inter alia*, for the inclusion in question 91, in view of Economic and Social Council resolution 445 (XIV) C of 28 May 1952,⁷² of a question concerning the existence of customs violating the physical integrity and moral dignity of women; and for the insertion of a new question on the right of women to work on an equal footing with men.

By resolution 463 (XI) of 6 June 1952, adopted by 9 votes to none, with 2 abstentions, the Council decided: "to approve the Questionnaire set forth in documents T/L.246 and Corr.1 as amended, reservations of the individual members of the Council having been entered in the Council's official records".⁷³

The Questionnaire⁷⁴ includes a series of definitions to be used as a practical guide.

Those relating to general terminology fell under the following headings:

⁷¹ See Y.U.N., 1951, p. 98.

⁷² See under Status of Women.

⁷³ T/SR.408, 413, 414.

⁷⁴ For reasons of space, the text of the Questionnaire is not included. It may be consulted in United Nations Doc. T/1010 (New York, 10 June 1952), Questionnaire as Approved by the Trusteeship Council at its 414th meeting, eleventh session, on 6 June 1952 (Trusteeship Council, Official Records, Special Supplement).

A. Political terms — (a) Administering Authority, (b) Metropolitan government, (c) Territorial government, (d) Local government

B. Terms describing the inhabitants of the Territory — (a) Section of the population, (b) Indigenous inhabitants, (c) Immigrant inhabitants

C. Terms relating to slavery and slave trade — (a) Slavery, (b) Slave trade

D. Terms relating to public health — (a) Medical staff: (i) Registered physicians, (ii) Licensed physicians, (iii) Special categories, (iv) Medical assistants, (v) Nurses with senior training, (vi) Certified nurses, (vii) Midwives with senior training, (viii) Midwives; (b) Medical institutions: (i) General hospitals, (ii) Cottage hospitals or infirmaries, (iii) Dispensaries.

Those relating to statistical terminology related to: (a) The International Standard Industrial Classification (ISIC) of All Economic Activities; (b) The International Standard Classification of Occupations (ICSO); (c) The Classification by Status; (d) The Standard International Trade Classification (SITC).

The Questionnaire itself consists of eleven parts, containing 190 questions. These are grouped under the following headings:

I. Introductory descriptive section (Questions 1-4)

II. Status of the Territory and its inhabitants (Questions 5-7)

III. International and regional relations (Questions 8-11)

IV. International peace and security; maintenance of law and order (Questions 12-13)

V. Political advancement (Questions 14-28)

General political structure; territorial government; local government; civil service; suffrage; political organizations; the judiciary; legal system.

VI. Economic advancement (Questions 29-78)

Section 1. Finance of the Territory: public finance; taxation

Section 2. Money and banking

Section 3. Economy of the Territory: general; policy and planning; investments; economic equality; private indebtedness

Section 4. Economic resources, activities and services: general; commerce and trade; land and agriculture—land tenure; agricultural products; water resources; livestock; fisheries; forests; mineral resources; industries; transport and communications; public works.

VII. Social advancement (Questions 79-149)

General social conditions; human rights and fundamental freedoms; status of women; labour; social security and welfare services; standards of living; public health—general and organization, medical facilities, environmental sanitation, prevalence of diseases, preventive measures, training and health education, nutrition; narcotic drugs; drugs; alcohol and spirits; housing and town and country planning; prostitution; penal organization.

VIII. Educational advancement (Questions 150-186)

General educational system; primary schools; secondary schools; institutions of higher education; other schools; teachers; adult and community education; culture and research.

IX Publications (Questions 187-188)

X. Resolutions and recommendations of the General Assembly and the Trusteeship Council (Question 189)

XI. Summary and conclusions (Question 190)

In addition there are 23 appendices to the Questionnaire dealing with:

Population; Administrative structure of government; Justice; Public finance; Taxation; Money and banking; Commerce and trade; Agriculture; Livestock; Fisheries; Forests; Mineral reserves; Industrial production; Co-operatives; Transport and communications; Cost of living; Labour; Social security and welfare services; Public health; Housing; Penal organization; Education; International treaties, conventions and other agreements. In addition the Universal Declaration of Human Rights is annexed to the Questionnaire.

At the 279th meeting of the Fourth Committee on 8 December 1952, the representatives of El Salvador, Guatemala, Haiti, Lebanon, Saudi Arabia and Syria submitted a joint draft resolution (A/C.4/L253), in terms of which the General Assembly would invite the Trusteeship Council to undertake the preparation of separate questionnaires adapted to the particular circumstances of each Trust Territory.

The representative of Belgium, supported by the representatives of the Dominican Republic and the United States, stated that the question was extremely complicated and required detailed discussion. Accordingly, he proposed orally that that question be deferred. The Committee, by 18 votes to 16, with 10 abstentions, adopted the Belgian proposal.

8. General Procedures of the Trusteeship Council

By resolution 432(V)⁷⁵ of 2 December 1950, the General Assembly, noting the increase in the volume of the work of the Council and in the length of its sessions, considered that a review of the Council's methods of work appeared desirable for the more effective discharge of its duties, and accordingly recommended that the Council should review its general procedure, bearing in mind the observations and suggestions made during the discussions at the fifth session of the Assembly.

Having considered in 1951, in connexion with this resolution, a preliminary report (T/L.209/Rev.1) of its Committee on General Procedure, the Trusteeship Council decided at the 387th meeting of its tenth session on 28 February 1952 to refer the matter back to this Committee and to enlarge its membership. At its 388th meeting on 29 February the Council appointed to the Committee the representatives of China and France, in addition to the representatives of Iraq and the

⁷⁵ See Y.U.N., 1950, p. 115. For action taken by the Trusteeship Council during 1951 on this resolution, see Y.U.N., 1951, pp. 93-94.

United States appointed during the ninth session. At its 411th meeting on 1 April the Council decided to postpone further consideration of the matter to its eleventh session.

The report of the Committee on General Procedure (T/L.265) was considered by the Council at the 413th, 450th and 453rd meetings of its eleventh session on 4 June, 18 and 22 July 1952.

With respect to the division of the workload of the Council between the two sessions, the Committee reported that the main question to be decided was at which session annual reports by Administering Authorities on the administration of Trust Territories would be examined. The Council's current practice of examining the reports on the Trust Territories in Africa at its summer session and on the Trust Territories in the Pacific at its winter session, the Committee noted, resulted in the examination at the summer session of at least seven of the eleven Trust Territories, in addition to other important business. To reduce the workload at the summer session, the Committee recommended that the consideration of one or more of the Trust Territories in Africa should be transferred to the winter session and suggested that the Council itself select the two Territories best suited for such a transfer. The Committee also made recommendations concerning the dates for submission of annual reports and their distribution.

In 1951 the Council had approved a schedule (resolution 346(IX))⁷⁶ designed to enable it to examine annual reports during the session ensuing six months (rather than one year, as before) after the end of the period covered by the individual reports. In order to relieve the heavy workload at its summer sessions as well as to afford a longer period for the preparation of their annual reports by the Administering Authorities and for the study of these reports by the members of the Council, however, the Council decided at the 453rd meeting of its eleventh session on 22 July 1952, that, except in the cases of Somaliland under Italian administration and Western Samoa, it would revert to its earlier practice, and that it would examine annual reports in accordance with the following schedule:

Winter session: Togoland under United Kingdom administration; Togoland under French administration; Cameroons under United Kingdom administration; Cameroons under French administration; Tanganyika; Ruanda-Urundi.

Summer session: Trust Territory of the Pacific Islands; Western Samoa; New Guinea; Nauru; Somaliland under Italian administration.

In accordance with this decision, the Council adopted an amendment to rule 72, paragraph 2,

of its rules of procedure to permit the examination of an annual report at an earlier time than normally specified, if the Administering Authority concerned agreed. This amendment was designed to cover the annual reports on Somaliland under Italian administration and on Western Samoa.

On the recommendation of the Committee on General Procedure, the Council also adopted other amendments to its rules of procedure. It adopted an amendment to rule 41 to make it clear that recourse to the secret ballot should be mandatory only when electing the President and Vice-President of the Council; a re-drafting of Rule 19 suggested by the Committee as a consequence to this amendment was also adopted by the Council.

By an amendment to rule 39, the Council introduced a procedure for roll-call voting similar to that adopted by the General Assembly, providing that the roll should begin with the member whose name was drawn by lot by the President.⁷⁷

By resolution 467 (XI), adopted on 22 July 1952 by 10 votes to none, with 1 abstention, the Council decided to approve the report of the Committee on General Procedure. It further decided that the amendments to its rules of procedure which it had adopted as a result of that Committee's recommendations should be regarded as provisional and would be reconsidered in the light of experience at its twelfth session.⁷⁸

9. Procedure of the Trusteeship Council for the Examination of Petitions

By resolution 552 (VI)⁷⁹ of 18 January 1952, the General Assembly recalled its resolution 435 (V)⁸⁰ of 2 December 1950, recommending that the Trusteeship Council should consider a number of possible means for improving its procedure for the examination of petitions. It considered that, while the Council had, in the course of its eighth and ninth sessions, revised to a limited extent its procedures in that respect, it had not yet devised procedures which accorded fully with the importance of the function of examining petitions and with the interests of the inhabitants of the Trust Territories. It observed, also, that the

⁷⁶ See Y.U.N., 1951, pp. 93-94.

⁷⁷ For text of rules 72, 41, 19 and 39, as revised, see Annex II.

⁷⁸ For the recommendations of the Committee on General Procedure with respect to rules governing the handling of petitions, and the action taken by the Council, see next section.

⁷⁹ See Y.U.N., 1951, p. 96.

⁸⁰ See Y.U.N., 1950, pp. 114-15.

number of petitions received by the Council had been increasing from year to year.

Accordingly, the Assembly recommended that the Council should:

(a) constitute a standing committee for the examination of petitions which should meet as soon as possible whenever necessary between sessions of the Council as well as during sessions; and (b) devise procedures by which the standing committee would examine each petition in a preliminary way, within a prescribed period after the receipt of the petition by the Administering Authority concerned, and in conjunction with such observations as might be submitted thereon by the Administering Authority on its own initiative or at the request of the standing committee, or as might be obtained by the standing committee from any other official or responsible source which it deemed useful, and would prepare, on the basis of such preliminary examination, proposals for action to be taken on each petition by the Council.

The Assembly also requested the Administering Authorities to submit to the Council each year special information concerning action taken on the Council's recommendations in respect of all petitions examined, except in those cases where the Council did not deem it necessary.

At its 387th meeting on 28 February 1952 the Council decided to set up a committee composed of the representatives of Belgium, the Dominican Republic, Thailand and the United States to consider these questions. In its report (T/L.243) the Committee, which held three meetings between 29 February and 7 March, expressed the opinion that the very broad provision contained in rule 79⁸¹ of the rules of procedure of the Council had led to the processing as petitions of a great number of communications which differed widely as to their nature. It agreed that all communications addressed to the Secretary-General or the Council, bearing on the affairs of one or more Trust Territories, the operation of the International Trusteeship System, or the activities of the Council, except those which were manifestly inconsequential, were of interest to the Council, and should be made available to members as expeditiously and fully as possible. Experience had shown, however, that it was not desirable to apply indiscriminately to all those documents the lengthy procedure which the Council and its Ad Hoc Committee on Petitions had used up to that time in dealing with petitions.

Accordingly, the Committee was of the opinion that all communications, containing requests, complaints and grievances, seeking action by the Council, should continue to be handled in accordance with the established procedure for the examination of petitions. However, such of those communications as concerned general problems to which the attention of the Council had already

been called, and on which it had taken decisions or made recommendations, as well as anonymous communications, should be circulated in the same manner as other communications, pending examination by a Standing Committee on Petitions which would decide whether the established procedure concerning petitions should be applied to them.

The Committee was of the opinion that other types of communications should be transmitted to members in full unless their length precluded it, so as to ensure that they were given the attention they deserved. Those communications also should be screened by the Standing Committee, which should decide whether any of them ought to be treated as a petition. In that event, the normal procedure applying to petitions would then be followed. Moreover, any member of the Council would be at liberty to propose that any other communication be considered as a petition.

The Committee then discussed the question of the treatment of communications received by Visiting Missions. It observed that, when a Visiting Mission travelled in a Territory, it gave an opportunity to individuals and groups to present their views orally and in writing on all matters concerning the Territory. While this was an effective and helpful way of gathering information, the Committee questioned whether all such communications and memoranda were necessarily petitions in the strict sense of the word. The authors of such communications wanted the Mission to take their views into account in drafting its report; they also wanted the Council to be informed about their views; but it was not inevitably their wish that each of their communications should be technically considered as a petition, and receive the treatment accorded thereto. The Committee therefore suggested that petitions and, whenever appropriate, other communications received by Visiting Missions should be handled in the same manner as it had suggested for petitions and communications addressed to the Council.

The Committee then recommended the establishment of a Standing Committee on Petitions to be composed of three Members administering Trust Territories, and three Members having no administering responsibilities, to be appointed by the Council at the end of each session to serve until the close of the ensuing session. In addition to meeting during sessions of the Council, the Standing Committee should, whenever it considered

⁸¹ Rule 79 states: "A written petition may be in the form of a letter, telegram, memorandum or other document concerning the affairs of one or more Trust Territories or the operation of the International Trusteeship System as laid down in the Charter."

necessary, meet between sessions and, normally, approximately one month before each regular session.

The Standing Committee, it was proposed, should:

(a) screen the various communications which had not been initially circulated as petitions; (b) conduct, in consultation with the representative of the Administering Authority concerned, a preliminary examination of those petitions on which written observations by the Administering Authority were available, or which had been received by the Administering Authority at least two months before the opening of the next regular session of the Council and, in particular, formulate any questions to be submitted to the Administering Authority, or to its special representative; and instruct the Secretariat to carry out studies or prepare working papers and to undertake such preparatory work as it deemed necessary, so that, during the session of the Council, the Standing Committee, with the assistance of the special representative, would conclude its examination of the petitions and submit to the Council its recommendations on the action to be taken in each case; (c) complete, whenever possible, its examination of those petitions which the Administering Authority agreed to have examined in the absence of a special representative. The Committee suggested that, as only experience would show whether its approach to the problem of handling petitions represented an appreciable improvement or not, the Council might wish to give further consideration to the matter at a subsequent session, in the light of the experience gained by the Standing Committee on Petitions.

The report of the Committee (T/L.243) was considered by the Council at its 397th meeting on 13 March.

The representative of the USSR stated that the procedure currently followed in the examination of petitions should be maintained. According to Articles 87 and 76 of the Charter the Council itself must receive and examine petitions in order to protect the indigenous inhabitants against the abuses of the Administering Authorities; it could not delegate that function to any subsidiary body. Moreover, he disagreed with the Committee's view that documents dealing with general problems should no longer be included in the list of petitions; by examining these documents with the participation of the indigenous inhabitants the Council could greatly improve the lot of the inhabitants of the Trust Territories and further their political advancement. He was opposed to both the conclusions of the Committee and the establishment of a Standing Committee on Petitions.

The representative of Belgium said that his delegation continued to oppose in principle the establishment of a Standing Committee, although it had taken part in the work of the Committee on Examination of Petitions.

The Council, by 11 votes to 1, adopted resolution 425(X), as recommended by the Committee,

thus deciding to establish a Standing Committee on Petitions. It then elected as members of the Committee until the end of the eleventh session the representatives of Australia, China, El Salvador, New Zealand, the USSR and the United States.

The Council decided also, by resolution 425 (X), to refer to the Committee on General Procedure (see section 8, above) the question of what amendments of the Council's rules of procedure would be necessary as a result of its acceptance of the recommendations of the Committee on Examination of Petitions; and, pending the adoption of such amendments as might be necessary, it decided to suspend the application of rule 90 which established procedures for the appointment of an ad hoc committee to make a preliminary examination of petitions.

The Committee on General Procedure accordingly recommended (T/L.265) amendments to rules 24, 84, 85, 86 and 90 to bring them into conformity with the new procedure adopted by the Council for the examination of petitions. The proposed amendments were considered by the Council at its 413th meeting on 4 June. The Council adopted provisionally the amendments to rules 24, 84 and 85 recommended by the Committee on General Procedure and, after further modifications, those proposed to rules 86 and 90.⁸² By resolution 467(XI) of 22 July, the Council invited its Standing Committee on Petitions to report to its twelfth regular session on the effectiveness of these new rules, which it would then reconsider in the light of experience.

Following the adoption of this resolution, the representative of the USSR reiterated the position of his delegation and stated that under the procedure adopted the most important petitions, the so-called general petitions, would be set aside. He contended that it had been shown during the Council's eleventh session that all the major petitions from individuals and organizations giving evidence of the anti-democratic policies of the Administering Authorities—alienation of land from indigenous inhabitants and the unsatisfactory state of affairs in education, health and other matters—might be listed under the category of general petitions. If this principle were adopted, more than a hundred petitions submitted to the eleventh session would be set aside. In the view of his delegation, the USSR representative added, this was a gross violation of the rights and interests of the indigenous population of the Trust Territories.

⁸² For text of revised rules 24, 84, 85, 86 and 90, as thus adopted, see Annex II.

The representative of Belgium observed that his delegation would continue to pay close attention to the petitions submitted to the Council and pointed out, further, that the new procedure for petitions was provisional since the Standing Committee on Petitions had been requested to report on the subject to the Council's next session.

10. Question of Oral Hearings by the Fourth Committee of the General Assembly

At the 280th meeting of the Fourth Committee on 21 November, the representative of the Dominican Republic submitted a draft resolution (A/C.4/L.240), calling for the appointment of a sub-committee to recommend a suitable procedure for dealing with oral hearings by the Fourth Committee.

A number of representatives, while stating they did not in any way deny the right of petitioners to approach the Fourth Committee, considered it would be more appropriate for petitioners to address themselves to the Trusteeship Council, where machinery for handling their petitions existed. They considered further that the Council should not be by-passed and that, in granting requests for oral hearings, there were implications which might disturb the orderly conduct of the Committee's business. Representatives supporting these views included those of Australia, Belgium, Canada, Denmark, the Dominican Republic, France, Luxembourg, the Netherlands, New Zealand, Norway, Peru, Sweden, the Union of South Africa, the United Kingdom and the United States.

On the other hand, a number of representatives considered, broadly speaking, that such requests should be granted, on the ground that statements by petitioners would aid the Committee in its work and would also assist in establishing that petitioners had access to the Committee. Representatives holding this view included those of Afghanistan, Argentina, Bolivia, Brazil, the Byelorussian SSR, Cuba, Czechoslovakia, Egypt, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR, Uruguay, Venezuela and Yugoslavia. It was also stated by the representative of the Philippines, among others, that some requests were being directed to the Fourth Committee because petitioners felt that they had not gained satisfaction from the Trusteeship Council.

At the 282nd meeting of the Committee on 25 November, the representative of the Dominican Republic said that he had introduced the proposal merely to facilitate proceedings in the Fourth Committee, but as a number of delegations appeared to have serious doubts concerning the draft resolution, he would withdraw his proposal.

11. Organization and Functioning of Visiting Missions

By resolution 553 (VI) of 18 January 1952,⁸³ the General Assembly recommended that the Trusteeship Council again review its procedures in respect of the organization and functioning of Visiting Missions, bearing in mind the financial implications, with a view to increasing the duration of each visit to each Trust Territory, to reducing the number of Trust Territories to be visited by a single Mission, and to achieving those ends without diminishing the frequency of visits to the Trust Territories. The Assembly, moreover, reaffirmed the desirability of each Visiting Mission being constituted as much as possible from among representatives on the Council, and recommended that, whenever that course was not practicable, the Council should consider inviting Members of the United Nations which were not members of the Council to nominate suitable qualified persons as members of Visiting Missions.

By resolution 385 E (XIII) of 27 August 1951, the Economic and Social Council, considering it desirable that women should share in the responsibilities of Visiting Missions, in order to promote the development of the status of women in the Trust Territories, invited Member States to nominate, and the Trusteeship Council to consider appointing, women to serve as members of such Missions.

In addition to these resolutions, the Trusteeship Council had before it a special report (T/951) of the 1951 Visiting Mission to Trust Territories in East Africa on the organization and functions of Visiting Missions. This Mission considered that, for members of a Mission to gain the widest knowledge of the Territories visited, the advance preparations should be as thorough as possible and should include a systematic and detailed briefing on the Territories concerned and on the procedures of Visiting Missions. From its experience, the Mission stated, the itineraries and programmes of future Missions should be prepared with a view to allowing more time for Mission members to

⁸³ See Y.U.N., 1951, pp. 97-98.

talk at length with officers of the local administration and leaders of local political and social groups and to engage in frequent exchanges of views among themselves. When possible, it suggested, a Mission might save time by splitting its membership to carry out the various activities of less direct substantive value for the Mission. Pointing out that both Missions to Trust Territories in East Africa had visited the areas during the dry season, the Mission suggested that the next visit be made during the rainy season so that the Council might receive reports on these Territories written from a somewhat different perspective.

Calling attention to the large number of written communications which it had received, the Mission observed that it had clearly been impossible for it to study them all on the spot; it also considered that the passing of almost all such communications to the Trusteeship Council might be a questionable procedure. With respect to a statement prepared by the Council for the use of Visiting Missions (T/L.126/Rev.1), the Mission suggested that Missions be given sufficient latitude to enable them to adapt the statement to the cultural and educational levels of the various groups it encountered. It explained that the statement was oversimplified for some groups it had met and for others it embodied concepts which could not be understood; in some cases, even, it apparently could not be adequately translated into the vernacular.

The Trusteeship Council decided on 29 February 1952 to establish a committee composed of the representatives of Australia, the Dominican Republic, Thailand and the United Kingdom to consider the two resolutions referred to above and the Visiting Mission's special report.

This Committee held four meetings in March. At its invitation, a number of former chairmen and members of Visiting Missions and Secretariat officers who had serviced Missions gave the Committee their views on the organization and functioning of Visiting Missions.

In its report to the Council (T/L.249), the Committee concluded that the length of time spent in a Trust Territory did not necessarily determine the value of the visit; it was more important that the time spent should be effectively used. The Committee emphasized the need for the most careful organization of the itineraries and programmes of Visiting Missions; it considered that successive Missions need not cover the same ground, but rather that the value of the Missions could be enhanced by a relatively greater concentration of attention on particular developments or problems. It considered that the effectiveness of the time spent in the Territory might be increased if, as

suggested by the Visiting Mission to East Africa, on suitable occasions a Mission was divided. This procedure, it believed, was warranted if for no other reason than that of increasing the Mission's contact with the populations of the Territories and avoiding disappointments on the part of groups of people who might not otherwise have been seen by the Mission. With respect to petitions received by Visiting Missions, the Committee considered that the procedure established by the Council at its 397th meeting (see above) provided the necessary guidance for future Visiting Missions. As regards reducing the number of Territories to be visited by a single Mission, the Committee observed that, apart from the budgetary implications, one of the most valuable experiences open to a Mission was the possibility of comparing conditions, progress and methods in different Territories. It stressed the importance of the Missions being composed as far as possible of persons normally sitting as members of delegations to the Trusteeship Council, but was of the opinion that, in exceptional cases where the necessary number of persons was not available from among such members, the solution suggested by the General Assembly should be considered. The Committee saw no reason to question the suitability of the existing arrangement whereby each Trust Territory was visited once every three years. As regards the participation of women in the work of Visiting Missions, the Committee noted that the action envisaged on the part of the Council as a whole lay in the appointment of women to Missions after they had been nominated by the governments of members, and believed that members invited to nominate representatives on Visiting Missions would wish to take into account the Economic and Social Council's resolution. The Committee considered that, wherever practicable, the appointment of a Visiting Mission should precede the examination by the Council of the annual reports and petitions relating to the Territories to be visited; in that way, participation in the Council's discussions would form the starting point for the preparation of the Mission.

At its 409th meeting on 27 March 1952, the Trusteeship Council approved the report of its Committee and, by resolution 427(X), adopted by 11 votes to none, with 1 abstention, decided that, in making arrangements for future visits to the Trust Territories, it would take into account the principles set forth in General Assembly resolution 553 (VI), in Economic and Social Council resolution 385 E (XIII) and in the special report of the 1951 Visiting Mission to Trust Territories in East Africa, and the observations made thereon by the Committee.

12. Collaboration of UNESCO in the Work of the Trusteeship Council

The United Nations Educational, Scientific and Cultural Organization (UNESCO), in response to a resolution (47(IV)) adopted by the Trusteeship Council on 1 March 1949, has regularly submitted to the Council its observations on the educational situation in the various Trust Territories; it has also made available to the Council its experience on general questions within its competence. This was noted by the Council in resolution 641 (XI), adopted on 24 July 1952 by 9 votes to none, with 2 abstentions, in which the Council expressed its appreciation to UNESCO for its full implementation of resolution 47 (IV) on collaboration with the specialized agencies and expressed the hope that this valuable collaboration would continue.

13. Implementation of Resolutions Relating to Trust Territories

By resolution 560(VI) of 18 January 1952,⁸⁴ the General Assembly had expressed the hope that the Administering Authorities which had not yet given effect to all Trusteeship Council and Assembly recommendations and resolutions applicable to Trust Territories would implement them as speedily as possible and would inform the Council of the steps taken, or proposed to be taken. It also requested the Council to include in each case in its report to the Assembly such conclusions as it might deem necessary regarding the action taken by the Administering Authorities and regarding the measures which, in the Council's opinion, should be adopted in view of those conclusions.

After considering the Assembly's resolution, the Trusteeship Council decided, by resolution 422 (X), adopted by 11 votes to none on 29 February 1952, to include such conclusions in its reports to the General Assembly, and instructed its drafting committees on annual reports to take the decision into account in preparing draft reports on individual Trust Territories for its consideration.

14. Annual Reports of the Principal Organs

THE SECURITY COUNCIL

The annual report of the Security Council to the General Assembly (A/2167), covering the period from 16 July 1951 to 15 July 1952, was

adopted by the Council at its 593rd meeting (closed) on 26 August 1952. The Assembly at its 390th plenary meeting on 27 October 1952 adopted without objection a resolution (695 (VII)) taking note of the report.

THE ECONOMIC AND SOCIAL COUNCIL

The Economic and Social Council at its 669th plenary meeting on 1 August 1952 discussed the arrangements for its annual report to the General Assembly and decided to make no change in the previous arrangements, i.e., that the President of the Council, in consultation with the two Vice-Presidents and the Secretariat, prepare the report and that it contain the principal views expressed on the various problems before the Council.

The Council's report (A/2172), which covered the period from 22 September 1951 to 1 August 1952, 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 seventh session considered the report in connexion with the various substantive questions.⁸⁵

THE TRUSTEESHIP COUNCIL

The annual report of the Trusteeship Council to the General Assembly, covering its fourth special session, its tenth session and the first part of its eleventh session (A/2150), held from 18 December 1951 to 24 July 1952, was approved by the Council, by 10 votes to 1, on 24 July 1952. By the same vote, the Council, on 3 December, approved an addendum to the report covering the second part of its eleventh session (A/2150/Add. 1), held from 19 November to 3 December. At this meeting the Council agreed, under rule 64 of the rules of procedure, that the position taken by the USSR during the discussions be appended as a minority report.

The first part of the report was the subject of a general debate during the seventh session of the General Assembly in the Fourth Committee, at the 279th to 285th meetings, held from 19 to 28 November. At its 299th meeting on 9 December the Fourth Committee approved, by 39 votes

⁸⁴ See Y.U.N., 1951, pp. 774-75.

⁸⁵ See under appropriate headings.

in favour and 5 abstentions, a draft resolution by Argentina (A/C.4/L.251) taking note of the Council's report (A/2150 and Add.1) and this resolution was in turn adopted by the General Assembly, without discussion, at its 410th plenary meeting on 21 December, by 46 votes to none, with 5 abstentions, as resolution 654(VII). By this resolution, the Assembly took note of the Council's report and recommended that the Council take into account the comments and suggestions⁸⁶ made during the Assembly's discussions.

In accordance with Article 83 of the Charter and with the agreement reached in 1949 by the Trusteeship and Security Council concerning their respective functions as regards strategic areas under Trusteeship, the Trusteeship Council examined, at its 410th and 411th meetings on 31 March and 1 April, the annual report (T/950) of the Government of the United States on its administration of the Trust Territory of the Pacific Islands for the year ended 30 June 1951. The Council adopted a report (T/L.264) which it transmitted to the Security Council on the exercise of its functions in respect of this strategic area. The Security Council did not discuss the report during 1952.

15. Elections and Appointments

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

At its 389th plenary meeting on 25 October, the General Assembly elected Colombia, Lebanon and Denmark as non-permanent members of the Security Council for a two-year term beginning 1 January 1953 to replace Brazil, the Netherlands and Turkey, retiring members.

The election was on the first ballot, Colombia and Lebanon each receiving 58 votes and Denmark 56.

b. ELECTION OF SIX MEMBERS OF THE ECONOMIC AND SOCIAL COUNCIL

At its 389th and 390th plenary meetings on 25 and 27 October, the General Assembly elected Australia, India, Turkey, the United States, Venezuela and Yugoslavia for a three-year term of office beginning 1 January 1953 to replace Canada, Czechoslovakia, Iran, Mexico, Pakistan and the United States, retiring members.

Venezuela, Australia, the United States, India and Turkey, having received the required two-thirds majority, were elected on the first ballot, the voting being as follows:

Venezuela	57	United States	52
Australia	52	India	45

Turkey	41	Afghanistan	1
Czechoslovakia	31	Brazil	1
Pakistan	28	Denmark	1
Yugoslavia	27	Mexico	1
Egypt	2	Syria	1
Israel	2	Indonesia	1

Twelve further ballots were held for the sixth place. In accordance with the rules of procedure, the first two of these additional ballots were confined to the two States which had received the largest number of votes but had not been elected, Czechoslovakia and Pakistan, and the next three ballots were unrestricted. On the sixth (unrestricted) ballot, Yugoslavia received 34 votes, and Czechoslovakia and Pakistan 13 each, and the seventh (restricted) ballot was therefore taken on all three candidates. The later restricted ballots were between Yugoslavia and Czechoslovakia, and these two States also continued to receive the largest number of votes in the later unrestricted ballots. Yugoslavia was elected on the thirteenth ballot by 40 votes to 18 cast for Czechoslovakia.

c. ELECTION OF TWO MEMBERS OF THE TRUSTEESHIP COUNCIL

At its 390th plenary meeting on 27 October, the General Assembly elected El Salvador and Syria as members of the Trusteeship Council for a three-year term beginning 1 January 1953 to replace El Salvador and Iraq, retiring members.

The election was on the first ballot, the voting being as follows:

El Salvador	55	Liberia	1
Syria	53	Pakistan	1
Egypt	1	Uruguay	1

d. VACANCIES IN MEMBERSHIP OF SUBSIDIARY ORGANS OF THE GENERAL ASSEMBLY

(1) Peace Observation Commission

At its 391st plenary meeting on 6 November, the General Assembly had before it a note by the Secretary-General (A/2182) on the appointment of members of the Peace Observation Commission. The Assembly, without objection, adopted a draft resolution proposed by Canada (A/L.112). The representative of Iraq, in explaining his vote, stated that he had voted for the Canadian draft resolution with the reservation that there was one member of the Commission which his Government did not recognize and with which it could not deal. By its resolution (696(VII)) the Assembly reappointed for the calendar years 1953 and 1954 the existing fourteen members of the

⁸⁶ See under General Discussion of Conditions in Trust Territories.

Commission⁸⁷ and requested the Commission to continue its work as set forth in section B of Assembly resolution 377 A (V).⁸⁸

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

The General Assembly at its 402nd plenary meeting on 10 December 1952 renewed the Committee on Information from Non-Self-Governing Territories (646(VII)) and instructed the Fourth Committee, acting on its behalf, to fill such vacancies as might occur among the non-administering members of the Committee. Accordingly, the Fourth Committee (A/2296/Add.1) at its 306th meeting on 15 December elected Brazil, China, India and Iraq for a three-year term beginning in 1953 to replace Brazil, Egypt, India and the USSR.

Iraq, Brazil and India were elected on the first ballot, the voting being as follows:

Iraq . . . . .	.41	Bolivia	8
Brazil . . . . .	.39	Thailand	2
India . . . . .	.35	Greece	2
China	2.5	Canada	2
USSR . . . . .	.22	Egypt	2
Sweden . . . . .	.18	Haiti	2
Yugoslavia	9	Dominican Republic 1	

The second ballot was held between the USSR and China, the two States receiving the largest number of votes short of election. China was elected by 27 votes, the USSR having received 24.

(3) Administrative and Budgetary Committees

The General Assembly at its 409th plenary meeting, without objection or discussion, made the following appointments, as recommended by the Fifth Committee. The numbers of the Fifth Committee's reports and the Assembly's resolutions are given below.

(a) ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

Carlos Blanco, Arthur H. Clough and William O. Hall for a three-year term beginning 1 January 1953 to succeed William O. Hall, Olyntho P. Machado and Sir William Matthews (resolution 666(VII)—Fifth Committee report A/2314).

(b) COMMITTEE ON CONTRIBUTIONS

S. M. Burke, Jiri Nosek and S. A. Rice for a three-year term beginning 1 January 1953 to succeed Kan Lee, Mitchell W. Sharp and S. A. Rice (resolution 667(VII)—Fifth Committee report A/2315).

Arthur H. Clough for a one-year term ending 31 December 1953 to fill the unexpired term of Sir Sydney Caine, who resigned effective 1 January 1953 (resolution 667 B (VII)—Fifth Committee report A/2315/Add.1).

(c) BOARD OF AUDITORS

The Auditor-General of Canada re-appointed for a further three-year term beginning 1 July 1953 (resolution 668(VII)—Fifth Committee report A/2316).

(d) UNITED NATIONS ADMINISTRATIVE TRIBUNAL

Djalal Abdoh, Mrs. Paul Bastid and Omar Loutfi for a three-year term beginning 1 January 1953 to succeed Mrs. Paul Bastid, Lt. General His Highness Maharaja Jam Shri Digvijayasinhji Sahib and Hamed Sultan. The Assembly decided that the terms of office of the two members who were due to retire on 30 November 1953 should be extended to 31 December 1953 (resolution 670(VII)—Fifth Committee report A/2318).

(e) UNITED NATIONS STAFF PENSION COMMITTEE

Keith G. Brennan, R. T. Cristobal, Francisco A. Forteza, as members, and Arthur H. Clough, Warren B. Irons and Fazlollah Nouredin Kia, as alternates, for a three-year term beginning 1 January 1953 to succeed R. T. Cristobal, Edmundo de Holte-Castello, N. I. Klimov, members, and Keith Brennan, Warren B. Irons and P. Ordonneau, alternates (resolution 671 (VII)—Fifth Committee report A/2319).

(f) INVESTMENTS COMMITTEE

Reappointment by the Secretary-General of Ivar Rooth for a further three-year term beginning 1 January 1953 confirmed (resolution 669(VII)—Fifth Committee report A/2317).

e. VACANCIES IN MEMBERSHIP OF SUBSIDIARY ORGANS OF THE ECONOMIC AND SOCIAL COUNCIL

At its fourteenth session, at its 657th and 658th plenary meetings on 24 July 1952, the Council held elections for one third of the membership of the functional commissions in accordance with the arrangements for the renewal of membership on a system of rotation. It decided, at its 657th plenary meeting, to postpone the election of the five elective members of the Commission on Narcotic Drugs until after the session of the Commission in 1953.

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

Transport and Communications Commission: China*, Colombia, France*, Norway*, Pakistan*.

Fiscal Commission: Belgium, Canada*, Chile, Cuba*, USSR*.

Statistical Commission:⁸⁹ Canada*, Cuba, India*, Iran, Ukrainian SSR*.

Population Commission: China*, France*, Iran, Sweden*, Ukrainian SSR*.

Social Commission: Argentina, Brazil*, Czechoslovakia, Iraq, Norway, United Kingdom*.

Commission on Human Rights: Egypt*, France*, India*, Philippines, Ukrainian SSR*, USSR*.

Commission on the Status of Women: Haiti, Lebanon*, USSR*, United Kingdom*, United States*, Venezuela.

⁸⁷ For members see p. 30.

⁸⁸ See Y.U.N., 1950, p. 194.

⁸⁹ The terms of office of the members of the Statistical Commission were extended to the day of termination of the seventh session of the Commission in 1953. On that day, the newly elected members were to begin their terms of office (resolution 457 (XIV)).

UNITED NATIONS INTERNATIONAL
CHILDREN'S EMERGENCY FUND

Members of the Social Commission being ex-officio members of the Board, the Council, in electing members of this Commission (see above), elected them as members of the Executive Board of UNICEF. At its 658th plenary meeting on 24 July 1952 it elected Australia, Pakistan and Yugoslavia to replace Ceylon, Indonesia and Iraq as additional members of the Executive Board.

PERMANENT CENTRAL OPIUM BOARD

At its 666th plenary meeting on 30 July 1952 the Council, after considering the report of a working party (E/L.456) established at its 658th plenary meeting on 24 July, elected the following eight members of the Board:

Ramon Sánchez (Chile); Paul Reuter (France); M. E. Rehman (India); Fouad Abou Zahar (Lebanon); Emilio D. Espinosa (Philippines); Hans Fischer

(Switzerland); Sir Harry Greenfield (United Kingdom); Herbert May (United States).

COUNCIL COMMITTEE ON NON-GOVERNMENTAL
ORGANIZATIONS

At its 657th plenary meeting on 24 July the Council elected China, France, Sweden, the USSR, the United Kingdom and the United States as members of the Committee for 1953.

f. VISITING MISSION OF THE
TRUSTEESHIP COUNCIL

The Trusteeship Council at its 456th to 458th meetings on 20, 24 and 25 November 1952 appointed the following as members of the United Nations Visiting Mission to Trust Territories in the Pacific, 1953:

Enrique de Marchena (Chairman) (Dominican Republic); Leon Pignon (France); Najmudine Rifai (Syria); W. A. C. Mathieson (United Kingdom).

E. ADMINISTRATIVE ARRANGEMENTS

1. Resignation of the Secretary-General

In a letter (A/2253) dated 10 November 1952, addressed to the President of the General Assembly, the Secretary-General, Trygve Lie, referred to the personal and confidential conversation on 11 September, in which he had said that, after long consideration, he had decided to submit his resignation as Secretary-General of the United Nations. It had been his intention, as he had then said, to take that step at the opening of the seventh session of the General Assembly. However, he had delayed until the arrival of the Ministers for Foreign Affairs of the permanent members of the Security Council, in the hope that that would facilitate agreement on his successor. He requested that the President propose the inclusion, in the agenda of the General Assembly, of the following item: "Appointment of the Secretary-General of the United Nations". On the same date the Secretary-General transmitted (S/2846) the text of this letter to the President of the Security Council.

At the 392nd plenary meeting of the General Assembly on the same date, the Secretary-General recalled that he had wanted to retire in 1950 at the end of his five-year term. He had agreed to continue only because the aggression in Korea had created circumstances that put him under an obligation to carry on. However, he said, the existing situation was somewhat different. The United Nations had thrown back aggression in Korea. There could be an armistice if the USSR, the People's Republic of China and the North

Koreans were sincere in their wish to end the fighting. If they were sincere, a new Secretary-General who was the unanimous choice of the five Great Powers, the Security Council and the General Assembly might be more helpful than he could be. On the other hand, if the world situation should go from bad to worse, he would not wish the position of the Secretary-General to hinder any hope of reaching a new understanding.

There were other reasons why it was more appropriate for him to retire at that time than in 1950. The Permanent Headquarters buildings had been completed. The Secretariat was better established and organized as one of the principal organs of the United Nations. He had placed before the seventh session proposals for reorganization,⁹⁰ that he believed might contribute to improved administration in the future. He felt that a new Secretary-General should be elected so that he might have time to make his own judgment about those proposals before the Assembly's next session.

The Secretary-General stated that his resignation was caused by the reasons he had given and by no other. He was stepping aside at that time because he hoped that that might help the United Nations to preserve peace and to serve better the cause of freedom and progress for all mankind.

⁹⁰ For the reorganization proposed by the Secretary-General see below under Administration of the United Nations.

At its 396th plenary meeting, on 13 November, the General Assembly decided to include in the agenda of the seventh session the item entitled: "Appointment of the Secretary-General of the United Nations". There was no further consideration of this item in the General Assembly and the Security Council during 1952.⁹¹

2. Administration of the United Nations

a. EXPLANATORY MEMORANDUM BY THE SECRETARY-GENERAL

In the course of debates on the 1952 budget estimates during the sixth session of the General Assembly, a number of representatives expressed doubts as to the soundness of the existing administrative structure of the United Nations Secretariat. The Secretary-General gave an assurance that, should the Fifth Committee so desire, he would prepare a study of the desirability of a general reorganization of the Secretariat for submission to the seventh session through the Advisory Committee on Administrative and Budgetary Questions. In the light of this assurance and of proposals presented by the Egyptian and other representatives, the Fifth Committee included in its report to the Assembly (A/2022) a request that such a study should be undertaken, special attention being paid to the whole structure and functions of the Departments of Economic and of Social Affairs and the Technical Assistance Administration as well as to the system of co-ordination between them.

Pursuant to this request, the item "Administration of the United Nations" was proposed by the Secretary-General for inclusion in the supplementary list of agenda items for the seventh session of the General Assembly and an explanatory memorandum (A/2214) was submitted by him to the Assembly. The item was referred to the Fifth Committee.

The first part of the explanatory memorandum dealt in general with the organization of the Secretariat. The Secretary-General expressed the belief that, in order to cope effectively with questions of over-all policy, with planning and balancing programmes of work, and with guiding and appraising the execution of work programmes, the structure of the Secretariat should be simplified and its functioning improved, and the lines of responsibility more clearly defined within the Secretariat as well as between the Secretariat and other organs of the United Nations.

The Secretary-General considered eight Assistant Secretaries-General, as well as a Director-

General of the Technical Assistance Administration too large a number either to act as a coordinating group or to work intimately with him in the consideration and formulation of policy. He suggested the introduction of a simplified scheme by which three Deputy Secretaries-General would replace the present Assistant Secretaries-General and more responsibility for day-to-day administration would be delegated to the Principal Directors.

In the second part of his memorandum, the Secretary-General commented on certain aspects of the relationship between the Secretariat and the General Assembly. He felt that confusion had arisen from the dual status of some members of agencies of the Assembly, in particular, the Advisory Committee on Administrative and Budgetary Questions and the Administrative Tribunal.

He suggested that the Assembly create a small committee to examine this matter and report to the next regular Assembly session.

b. REPORT OF THE ADVISORY COMMITTEE

The Fifth Committee, at its 343rd meeting on 20 October 1952, referred the first part of the Secretary-General's memorandum to the Advisory Committee on Administrative and Budgetary Questions.

At the 354th meeting of the Fifth Committee on 4 November, the representative of the USSR proposed (A/C.5/L.185) that the Departments of Economic Affairs and of Social Affairs should be merged, and that reductions of \$400,000 and \$300,000 should be made respectively in the estimates for section 10 and section 11 (dealing with these two Departments) of the 1953 budget. The Fifth Committee decided to defer further consideration of the estimates for these two sections until the Advisory Committee had submitted its observations both on the Secretary-General's memorandum (A/2214) and on the USSR proposals (A/C.5/L.185). The report (A/2290) of the Advisory Committee on these two matters was submitted on 6 December.

On the broader issues of reorganization dealt with in the Secretary-General's memorandum, the Advisory Committee's general conclusions were to the effect that the advantages to be gained from the changes proposed could only be evaluated on a long-term basis and that recommendations on methods to give effect to such changes required a detailed and exhaustive study of their implications.

⁹¹ Mr. Lie's resignation took effect on 10 April 1953, the date of the installation of Mr. Dag Hammarskjöld.

It noted, furthermore, that in presenting his proposals the Secretary-General had expressly pointed out that he could not, at the current stage, develop them in greater detail, and had therefore recommended that, after the General Assembly had expressed its views on the general lines of the proposed reorganization, he should be requested to work out further details and to base his 1954 budget estimates accordingly.

On the question of the possible merger of the Departments of Economic Affairs and of Social Affairs and the Technical Assistance Administration, the Advisory Committee was informed that the Secretary-General did not feel justified at this stage in recommending a full merger of the two Departments without a further careful study, and that as regards a yet wider merger embracing the Technical Assistance Administration in addition to these two Departments, such a decision should not, in his opinion, be taken independently of the broader reorganization of the Secretariat.

The Advisory Committee considered that the position taken by the Secretary-General did not fully accord with the intentions of the Fifth Committee. It took note, however, of his assurance that more time was required for a fuller study of the measures already taken or planned, as a result of which greater efficiency and economy were anticipated during 1953, as well as of his view that any further administrative and structural changes of a far-reaching nature should only be made as part of the broader reorganization of the Secretariat that was envisaged. The Advisory Committee stated that it remained of the opinion, nevertheless, that relationships between these two Departments and the Technical Assistance Administration constituted a problem of major and prior importance, the treatment of which should not be deferred beyond the opening of the eighth session of the General Assembly. The Advisory Committee stated that it was not able to make a recommendation as regards the reductions totalling \$700,000 proposed by the USSR in sections 10 and 11 of the 1953 budget estimates.

c. CONSIDERATION BY THE FIFTH COMMITTEE

The question of the administration of the United Nations was considered in detail by the Fifth Committee at its 371st and 372nd meetings, held on 9 and 10 December. In addition to the explanatory memorandum by the Secretary-General (A/2214) and the report of the Advisory Committee (A/2290), the Fifth Committee had before it two draft resolutions (A/C5/L.212 and A/C5/L.213)

on the question, presented jointly, in each case, by Chile, the Dominican Republic, Greece, Norway and the Philippines.

According to the first (A/C5/L.212) of the two joint draft resolutions, the General Assembly would include the question of the reorganization of the Secretariat in the provisional agenda of the eighth regular session. The Secretary-General would be requested to prepare a full report on the administrative and financial implications of the proposed reorganization and to circulate it, with the recommendations of the Advisory Committee, to all Members four weeks before the opening of the eighth session.

The second (A/C5/L.213) of the two joint draft resolutions would have the Assembly refer the second part of the Secretary-General's explanatory memorandum to a committee composed of the Chairman of the Advisory Committee and six members nominated by the Chairman of the Fifth Committee for study and report (to the Assembly's eighth session). The Secretary-General would be invited to submit to that committee such proposals as he might wish to make on the matters dealt with.

At the 371st meeting of the Fifth Committee, the Secretary-General amplified the recommendations contained in his memorandum.

The USSR proposal to amalgamate the Departments of Economic Affairs and of Social Affairs into a single Department of Economic and Social Affairs in 1953 was the first to be voted upon by the Fifth Committee. It was rejected by 9 votes to 5, with 21 abstentions, at the 371st meeting on 9 December.

The Chairman of the Committee stated that his interpretation of the Committee's vote was that it had merely postponed a final decision; it was to be assumed that the views of the USSR representative, as expressed in his proposal, would be taken into account in the broader study contemplated.

In explaining their votes on the USSR proposal, some representatives, including those of Belgium, the Netherlands, the United Kingdom and the United States, stated that they had voted without prejudice to the position which their delegations might subsequently take on the question of amalgamation and that, in consequence, little significance should be attached to their votes at this stage. Other representatives, in particular those of Canada and Denmark, explained that they had abstained since they were not prepared at the time the vote was taken either to support the proposal or to vote against it.

Subject to minor drafting amendments, the proposals contained in the first joint draft resolution (A/C.5/L.212) found general support. Certain representatives, in particular the representative of Norway, considered that the Secretary-General had a right and a duty to place before the General Assembly administrative problems which he had encountered in discharging his responsibilities under the Charter, and to make such suggestions regarding them as he saw fit. Equally, it was the duty and responsibility of the Fifth Committee to study the problems so presented in the light of the suggestions made in order that appropriate solutions might be found. Most representatives were of the opinion that, since the basic material necessary for reaching a considered decision was not immediately available and a detailed and thorough study of the whole matter was therefore essential, the procedure proposed in the draft resolution was the most appropriate to follow. They also recognized that the incoming Secretary-General should be afforded an opportunity of joining in any such study.

The representative of Belgium orally proposed that the scope of the proposed study be broadened in order to cover the whole problem of the reorganization of the Secretariat, and the representative of the United Kingdom orally suggested that there be included in the proposed study a specific reference to the question of the relationship between the Departments of Economic and of Social Affairs and the Technical Assistance Administration. Following acceptance by the sponsors of these two suggestions, the first joint draft resolution, as amended, was approved unanimously at the Committee's 372nd meeting on 10 December.

The opinion in the Fifth Committee regarding the proposals contained in the second joint draft resolution (A/C5/L.213) was somewhat more sharply divided. Some representatives, including those of New Zealand and the United States, expressed surprise that there should be any difficulty in concurring in the procedure recommended. The Fifth Committee, they pointed out, was not being asked to take decisions on any of the issues involved. It was simply being requested to recommend that a special committee should be appointed to consider the issues and to obtain the views thereon of Member Governments and of the Advisory Committee. The General Assembly would only take a decision after all the facts had been placed before it.

Other representatives, however, including those of Colombia, France, India, the Netherlands and the United Kingdom, expressed the view that the mere reference of the second part of the Secretary-

General's memorandum to a special committee could be interpreted as a recognition on the part of the Fifth Committee of the merit of the proposals referred to therein. They did not consider there was anything wrong or harmful in members of such bodies as the Advisory Committee and the Administrative Tribunal serving also as governmental representatives or alternates in committees of the General Assembly; nor, in their opinion, had this practice led to confusion or diminished the General Assembly's confidence in the usefulness of the bodies concerned. Members of the Advisory Committee who served on the Fifth Committee did so, not by favour of any organ of the United Nations, but as properly accredited representatives of their governments, whose right freely to appoint their own representatives should not be in any way restricted. It was further argued that it was both reasonable and desirable for members of the Advisory Committee who served also in the General Assembly occasionally to modify their views in the light of further argument developed in the Fifth Committee. The function of the Advisory Committee, as its name implied, was to advise; nor could the view be maintained that an opinion, once expressed in the Advisory Committee, could never be modified, or that the collective views of that Committee were sacrosanct and not open to revision in the Fifth Committee after the issues had been clarified. They also argued that it was only reasonable that governments providing experts to serve on such bodies as the Advisory Committee should have the benefit of their services as delegation members and that, furthermore, the Secretary-General's task might be made more difficult if such experts were precluded from direct participation in the Fifth Committee deliberations.

Some representatives, while adhering to the position indicated above, so far as the question of membership in the Advisory Committee was concerned, felt that the position in the case of the Administrative Tribunal might be slightly different since there were valid grounds for arguing that a judicial organ should be kept entirely separate from a legislative body. Thus, the representative of France orally suggested that only those paragraphs of the Secretary-General's memorandum relating specifically to the Administrative Tribunal should be referred to the proposed special committee. The representative of the United Kingdom orally proposed an amendment to the second joint draft to indicate that, in the opinion of the General Assembly, members of the Advisory Committee should not be debarred from serving in any capacity in the Fifth Committee. This amendment was, however, later withdrawn on the understand-

ing that reference to it would be included in the report of the Fifth Committee as the considered view of the United Kingdom Government.

The sponsors of the second joint draft agreed to amend their proposal to meet the views expressed by the Chairman of the Advisory Committee that it would be improper for him to take part, in that capacity, in the work to be undertaken by the proposed special committee, and that a more appropriate procedure would be for the observations of the Advisory Committee, should they be desired, to be furnished at a later stage.

A French oral amendment to increase the membership of the special committee to eleven was adopted by 39 votes to none, with 6 abstentions. A further French oral amendment that the special committee, in addition to studying the second part of the Secretary-General's memorandum, should also review rules 154 to 156 of the rules of procedure of the General Assembly (concerning the Advisory Committee), as well as the Statute of the Administrative Tribunal, was adopted by 31 votes to 7, with 6 abstentions.

The draft resolution, as amended, was then adopted by the Fifth Committee, at its 372nd meeting on 10 December, by 35 votes to 6, with 6 abstentions. The Fifth Committee agreed that Members should be invited to submit their comments on matters raised in the second joint draft to the special committee while it still had these matters under consideration, rather than to delay their submission until the problem was before the Fifth Committee at the eighth session.

d. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The report of the Fifth Committee was considered by the General Assembly at its 410th meeting on 21 December. The two draft resolutions contained in the report were voted upon without discussion. The first joint draft (resolution A) was adopted unanimously; the second (resolution B) was adopted by 47 votes to 6, with 2 abstentions. The resolutions (681 A and B (VII)) read:

"The General Assembly,

"Taking note of the proposals and opinions concerning the organization of the Secretariat contained in the memorandum by the Secretary-General on the question of the administration of the United Nations, and of the report of the Advisory Committee on Administrative and Budgetary Questions on these proposals,

"Considering that the problems of reorganization require further study,

"1. Decides to include the question of the organization of the Secretariat in the provisional agenda of the eighth session of the General Assembly;

"2. Requests the Secretary-General to prepare a full report on the problems of reorganization of the Secretariat, including the relationship between the Departments of Economic Affairs and of Social Affairs and the Technical Assistance Administration, as well as on their administrative and financial implications, and to circulate it, with the recommendations of the Advisory Committee on Administrative and Budgetary Questions, to all Members four weeks before the opening of the eighth session of the General Assembly."

B

"The General Assembly,

"Noting paragraphs 38 to 45 of the memorandum of the Secretary-General on the administration of the United Nations,

"1. Decides to refer these paragraphs to a Committee composed of representatives of the following eleven Members: Australia, Belgium, Brazil, Chile, China, Dominican Republic, Greece, Iraq, Norway, Pakistan and Poland, to meet in the interval between the seventh and eighth sessions of the General Assembly, and to report thereon to the General Assembly at its eighth session;

"2. Invites the Secretary-General to submit to the Committee such proposals as he may wish to make on the matters dealt with in the above-mentioned paragraphs;

"3. Requests the Secretary-General to circulate the report of the Committee, with the comments of the Advisory Committee on Administrative and Budgetary Questions, to all Members four weeks before the opening of the eighth session of the General Assembly."

3. United Nations Personnel Policies

a. RECRUITMENT AND CONTRACTS

During the year efforts were continued to intensify the recruitment of international staff from Member nations whose nationals were inadequately represented. In August 1952 the Secretary-General reported to the General Assembly that the international staff comprised nationals of 56 Member States and that geographical distribution as envisaged in the Charter had in the main been successfully accomplished.

The General Assembly, at its sixth session, approved Staff Regulations (590 (VI))⁹² which came into effect on 1 March 1952. These Regulations, which replaced the provisional regulations under which the staff functioned during the first six years of the life of the United Nations, fix the fundamental obligations of the staff, their basic conditions of service, their rights, and the authority of the Secretary-General in such matters as selection, day-to-day administration and termination. The Staff Regulations are in many respects general

⁹² See Y.U.N., 1951, pp. 117-22.

in nature, and the Secretary-General issues detailed Staff Rules to implement them.⁹³

In 1952, attention was given principally on the development of a career service along already defined lines. The Secretary-General in January 1952 reported to the Assembly at its sixth session that, with a view to increasing the number of staff members holding permanent contracts, he intended to complete within 1952 and 1953 the review of temporary staff appointed before 1 January 1950. For this purpose he set up on 12 May 1952 a special Selection Committee, under the chairmanship of F. P. Walters, former Deputy Secretary-General of the League of Nations, and with a representative of the staff participating.

The Selection Committee submitted three reports to the Secretary-General in 1952. The first of these dealt with staff members in the general service category; the second with trainees; and the third with staff members in the professional category. The Committee recommended 41 permanent appointments for staff members in the general service category, and the Secretary-General issued that number. With respect to the trainees, the Committee recommended four permanent appointments and two probations and deferred four cases. The Secretary-General accepted the Committee's recommendations in all ten cases. The Committee recommended 246 permanent appointments for staff members in the professional category, and of these the Secretary-General issued 238. Three of those recommended had previously resigned and permanent appointments were not given by the Secretary-General in five other cases. The Committee recommended 35 staff members for a probationary period of one year and the Secretary-General accepted all of these recommendations. It recommended 25 fixed-term appointments and the Secretary-General issued 24. It recommended 62 terminations and of these the Secretary-General followed the recommendation in 59 cases; three of the staff members involved had previously resigned. The Committee deferred 29 cases for review in 1953. It made no recommendation in three cases. In two of these cases the Secretary-General approved the Committee's reasons for making no recommendations and communicated these reasons to the staff members concerned. In the third of these cases, the Secretary-General issued a permanent appointment.

The Secretary-General at the seventh session of the General Assembly reported (A/C.5/L.210) to the Fifth Committee on the work of the Selection Committee. The Fifth Committee took no action during 1952 on this report.⁹⁴

The Selection Committee was scheduled to reconvene early in 1953 with as nearly as possible the same membership to review those members of the general service category who entered on duty before 1 January 1951, in addition to those cases in the professional category previously deferred, and those who entered on duty between 1 January 1950 and 1 January 1951. By the end of 1952, out of some 2,872 established posts at United Nations Headquarters, there were 1,500 staff members serving under permanent appointment.

b. PROBLEM OF ALLEGED SUBVERSIVE ACTIVITIES BY STAFF MEMBERS

During 1952 United States authorities conducted investigations of the activities outside their official functions of certain staff members of United States nationality. These investigations, which related to the general area of activities considered to be subversive, took two forms.

The first consisted of proceedings before a Special Federal Grand Jury which began its investigations in the summer of 1952. This investigation, which was conducted in private, had the function of enabling the Grand Jury to decide whether indictments should be presented against any person who, if indicted, would have to stand for public trial in the appropriate criminal court.

The second form was an investigation by the Internal Security Sub-Committee of the Senate Judiciary Committee. Public hearings of the Sub-Committee, at which United Nations staff members of United States nationality were called, were held in May, October, November and December 1952. Its investigations were conducted under Senate resolutions which direct a continuing study of the administration, operation and enforcement of the Internal Security Act of 1950 and of other laws relating to espionage, sabotage and the protection of the internal security of the United States, and also of the extent, nature and effects of subversive activities in the United States.

The scope of the investigation conducted by the Special Federal Grand Jury was described by the Grand Jury in a presentment prepared at the termination of its service as follows:

"Our investigation has not been concerned in any way with the United Nations itself—its policies, objectives, or its internal affairs. Our sole

⁹³ To implement the new Staff Regulations, the Secretary-General issued detailed Staff Rules, which came into force on 1 January 1953.

⁹⁴ The Secretary-General on 30 January 1953 submitted to the General Assembly a report (A/2364) on personnel policy, which included, among other things, a review of the work of the Selection Committee.

concern and effort has been directed toward the possible violations of law by United States citizens whose activities are indisputably within our jurisdiction. Consequently, only United States citizens have been called as witnesses by us, and their interrogation has been scrupulously confined to matters unrelated to their official activities in the United Nations."

Some of the staff members being investigated were requested by the Grand Jury to submit to it certain documents from the archives of the United Nations, including photostats of their personnel applications submitted when they applied for employment, and letters written by them in their official capacity to other officials of the United Nations. By letters of 13 June and 3 October 1952, the Secretary-General informed the staff members concerned that these documents were part of the United Nations archives which were declared to be inviolable by the law of the United States, and that photostats and originals of such documents could not be given either to staff members or to agencies of Member States. The staff members, however, were given the opportunity, at their request, of having access to their personnel files in order to make a copy of the application they prepared at the time of their appointment for use during their testimony. The Secretary-General requested a copy of the record of the Grand Jury proceedings, or at least some official statement of what took place, but this request was denied on the ground that it could not legally be complied with.

On 2 December 1952, the Grand Jury made public a presentment which it submitted to the United States District Court for the Southern District of New York. This presentment contained no indictments and mentioned no names. It stated that more than twenty United Nations staff members of United States nationality had refused, on the ground of the privilege against self-incrimination, to answer "questions concerning past and present Communist Party membership and activity, including in some instances past and present espionage activity against the United States". The presentment also set forth certain conclusions and made certain recommendations. Among the conclusions were statements 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 security of the United States. The Grand Jury recommended, among other things, that no United States citizens should be permitted to accept employment with the United Nations without prior clearance by the United States Government; that

staff members and applicants of United States nationality should be required to fill out an application form designed to elicit information on subversive activities; and that another Grand Jury should continue the investigation.⁹⁵

On the following day the Secretary-General formally addressed the United States Mission to the United Nations asking that, in view of the wide publicity given to the conclusions of the Grand Jury and in fairness to himself and the staff, he be given either the Grand Jury records or at least an official statement of specific evidence.⁹⁶

The scope of the investigation conducted by the Internal Security Sub-Committee of the United States Senate was more specifically defined by the Acting Chairman of the Sub-Committee at the opening of public hearings in New York in October 1952 as follows:

"This Sub-Committee will take testimony to determine whether United States citizens who, even though they are United Nations employees, have been engaged in subversive activities which are clearly beyond the scope of their employment. Our interest in this inquiry is solely to safeguard the internal security of the United States. This is in no sense an investigation into the United Nations or the functions of the United Nations."

A number of witnesses were heard only in executive sessions by the Sub-Committee and the records of these sessions were not made available to the Secretary-General. In public hearings on various dates in May, October, November and December 1952, a total of 24 persons who at the time were staff members of the United Nations and four persons who had formerly been staff members were examined. Of the persons who were at the time staff members, seventeen invoked the constitutional privilege against self-incrimination⁹⁷ on questions of various types, as follows:

⁹⁵ In accordance with the recommendation of the Grand Jury, the investigation was being continued by another Grand Jury.

On 9 January 1953, the President of the United States issued Executive Order 10422 (18 F.R.239), prescribing procedures for making available to the Secretary-General of the United Nations certain information concerning United States citizens employed or being considered for employment in the Secretariat of the United Nations. Executive Order 10422 was later amended by Executive Order 10459 of 2 June 1953 (18 F.R.3183). Procedures for supplying the United States Government with the necessary identification information concerning United States citizens employed or being considered for employment in the Secretariat of the United Nations were put into effect in early 1953.

⁹⁶ On 28 January 1953 the Permanent Representative of the United States to the United Nations replied that the Secretary-General's request had been transmitted to the Department of State, and referred to the Department of Justice.

⁹⁷ Speaking at the 413th plenary meeting of the General Assembly on 10 March 1953, the Secretary-General stated: "Every United States citizen has the right to

One witness declined to answer whether he was presently engaged or had ever engaged in espionage against the United States. Another declined to state whether he was now engaged in subversive activities⁹⁸ against the United States or had in the past engaged in espionage. Ten witnesses refused to answer questions on present membership in the American Communist Party and also on past membership. Four denied present membership in the Communist Party; two of these witnesses, however, invoked the privilege on questions concerning membership in the recent past and the other two invoked it as to membership in the more distant past. One witness admitted membership in the Communist Party in 1935, but declined to answer questions relating to participation in its activities.

Seven witnesses who were then staff members did not invoke the privilege against self-incrimination. Three of these stated that they had been members of the American Communist Party at various periods in the past, and testified concerning their activities in it. Another denied ever being a member of the Communist Party but testified that at a time sixteen years ago he had assisted the Communist underground against German Nazism; his testimony was in conflict with that of another witness never connected with the United Nations, who stated that he knew the staff member to be a Communist and that the staff member had participated to a greater extent than was admitted. A further staff member, who did not invoke the privilege, denied all subversive or Communist activities; there was testimony by a witness never connected with the United Nations that in 1937 he had heard from an espionage agent of a foreign country that a man he believed to be the same as this staff member was a Communist. Two other staff members who did not claim the privilege were not asked about membership in the Communist Party; one of them admitted past connexions with one organization later declared subversive by the Attorney General of the United States.

An issue concerning the privileges and immunities of the United Nations arose during the course of the hearings. In a memorandum from the Secretary-General to the staff members of United States nationality, issued on 13 October 1952, the Secretary-General, after referring to Articles 100 and 105 of the Charter and to the International Organizations Immunities Act of the United States (which provides, inter alia, that the archives of the United Nations shall be inviolable and that officers and employees of the United Nations shall be immune from legal process relating to acts performed by them in their official

capacity and falling within their functions as such officers or employees), stated as follows:

"In accordance with these provisions of law, staff members of the United Nations called before the Senate Committee are not authorized to testify with regard to official activities of the United Nations and do not have the right to waive the immunity conferred by law. They are authorized to answer questions which are matters of public record regarding their position as staff members such as title, job description, compensation, date of appointment and the like."

At the hearings on 13 October 1952 a staff member declined, on the ground of the Secretary-General's instruction, to answer questions relating to his actions in a case pending before the United Nations Joint Appeals Board of which the witness was a member. The witness was allowed to refrain from answering until the following day so as to allow time for him to consult his superiors in the United Nations. At the hearing on 14 October, when asked whether he had ever tried to prevent the discharge of a named individual from his employment in the United Nations, the witness declined to answer, on the ground, however, of his privilege against self-incrimination rather than of the United Nations privilege. Nevertheless, at the close of the hearing on the following day, 15

invoke a constitutional privilege. But the use of a constitutional privilege against self-incrimination does not, under the laws of the United States, imply a constitutional right to continued public employment by those who exercise the privilege. On the contrary, the practice for federal, state and municipal employment alike is clearly in the opposite direction. As for the United Nations, I can conceive of circumstances when to plead the privilege would not necessarily be incompatible with the conduct required of international civil servants—But in these circumstances, for a United Nations staff member thus to draw upon himself grave suspicion of being a danger to the security of a Member State was, I felt, a grave breach of the staff regulations concerning the conduct required of staff members. Further more, 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."

⁹⁸ Also at the same meeting, the Secretary-General declared: "It is clear that no staff member should engage in subversive activities against his own government or the government of any Member State. He may disagree with his government. He has a right to his own private and personal opinions and beliefs. But so long as he remains in the Secretariat it is his clear obligation, under the Charter and the Staff Regulations, to take no part in any activity, either open or secret, aimed at subverting or overthrowing the government of a Member State. Secondly, with regard to United States nationals in the Secretariat, I believe that, in view of the present 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 is a member of the American Communist Party and who is, 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 is, of course, the fact that the United States is the host country to the permanent Headquarters."

October, the Acting Chairman of the Sub-Committee made a statement in which he declared, *inter alia*, that the Sub-Committee did not agree that any United Nations privilege justified the witness's original refusal to answer, and that it would be held contemptuous of the Senate for witnesses to use any such excuse for failing or refusing to disclose information pertinent to the Sub-Committee's inquiry.

Confronted by the problems arising from the charges and investigations, the Secretary-General decided on 22 October 1952 to appoint an international commission⁹⁹ of jurists to advise him on the action he should take to meet the situation.

The Commission of Jurists met for the first time on 14 November and presented its opinion to the Secretary-General on 29 November 1952. The Commission advised the Secretary-General, among other things, that holders of permanent contracts who refused on the ground of their privilege against self-incrimination to answer questions about espionage, subversive activities or membership in an organization declared to be subversive, could and should have their contracts terminated under the existing Staff Regulations. The Commission also proposed that in certain cases a special panel¹⁰⁰ be created to advise the Secretary-General, after affording staff members involved the opportunity to be heard.

While awaiting the report of the jurists the Secretary-General had in the meantime taken such action as he considered was clearly within his authority. Temporary employees who had invoked the privilege against self-incrimination during the hearings of the United States Senate Internal Security Sub-Committee and with respect to whom the Secretary-General had subsequently received additional confidential information from reliable sources, were dismissed on the ground that their employment was no longer in the interest of the United Nations. Those staff members with permanent appointments who had refused to answer questions on the ground of the privilege of self-incrimination were placed on compulsory leave. On 5 December, acting on the basis of the jurists' opinion, the Secretary-General terminated the permanent staff members who had pleaded the privilege after first giving them an opportunity to change their minds about testifying.

c. CONSIDERATION BY THE GENERAL ASSEMBLY DURING 1952

The report of the Commission of Jurists was transmitted by the Secretary-General to the members of the General Assembly on 4 December 1952.

At the 371st meeting of the Fifth Committee on 9 December, the representative of Egypt asked the Committee when it would take up this report, and at the 373rd meeting on 13 December, supported by the representative of Sweden, he repeated his question. The Chairman of the Fifth Committee replied that he was consulting the President of the General Assembly and the Secretary-General on the matter and at the following meeting he reported that there was a formal difficulty to the discussion of the subject at that time since the issues were not covered by any agenda item and, under rule 97 of the rules of procedure of the General Assembly, Committees of the Assembly might not introduce new items on their own initiative. The Fifth Committee was informed, however, that the Secretary-General was gathering all relevant material which he intended to present to the Member States as early as possible in a comprehensive report on personnel policy.¹⁰¹

On 18 December 1952 the Secretary-General requested (A/2327) that the following item be placed on the agenda: "Report of the Secretary-General on Personnel Policy".

The Assembly's General Committee considered the request at its 84th meeting on 18 December, and, by 12 votes to 2, recommended the inclusion of the item. By 49 votes to 5, with 2 abstentions, the Assembly, at its 406th plenary meeting, adopted the recommendation (A/2330) of the General Committee.¹⁰² The representative of the USSR, in the General Committee, and the representatives of the USSR and Poland, in the plenary meeting, opposed the inclusion of the item, arguing that a report on the matter should be submitted first, and then a decision as to its inclusion in the agenda should be taken by the General Assembly on the basis of the facts and information contained in that report.

The General Assembly did not discuss the item further during 1952.

⁹⁹ The three members of the commission were: William DeWitt Mitchell (United States), Sir Edwin Herbert (United Kingdom) and Professor P. Veldekens (Belgium).

¹⁰⁰ The Secretary-General on 16 January 1953 announced the appointment of the members of the Advisory Panel proposed by the Commission of Jurists.

¹⁰¹ The report (A/2364) was prepared by the Secretary-General and submitted to the General Assembly on 30 January 1953.

¹⁰² The General Assembly began consideration of the Secretary-General's report at its 413th plenary meeting on 10 March 1953. The Assembly, at the same meeting, decided that the item should be dealt with in plenary meeting rather than in Committee.

4. Staff Regulations of the United Nations: Question of a Probationary Period

During the sixth session of the General Assembly, when the question of Staff Regulations of the United Nations¹⁰³ was under consideration, the Fifth Committee decided to recommend to the General Assembly that the enactment of a specific regulation on the question of a probationary period should be deferred, the Secretary-General having given an assurance that he would submit a report on this question for the consideration of the General Assembly at its seventh session.

In the Secretary-General's report (A/2272) to the Assembly's seventh session, he recommended that action on this question should be postponed for a further year pending submission of a final proposal for the consideration of the Assembly at its eighth session. His proposal was based on two grounds: (1) the desirability of co-ordination with the specialized agencies with a view to a common approach to this problem; and (2) the fact that the review of the existing temporary staff of the United Nations had not been completed. The experience to be gained from this review would, in the Secretary-General's opinion, be valuable in formulating a definite regulation. The Secretary-General further reported that the current United Nations staff rule with respect to a probationary period was substantially in line with the regulation which had previously been recommended for adoption by the Advisory Committee. This rule (rule 104.12 (b)), which the Secretary-General intended to introduce as from 1 January 1953 read as follows:

"The probationary period for a permanent appointment shall normally be two years provided that prior full-time satisfactory service under a temporary appointment shall be credited towards the probationary period."

In its 38th report (A/2307) to the Assembly's seventh session, the Advisory Committee on Administrative and Budgetary Questions made a number of observations on the report of the Secretary-General (A/2272). It emphasized that it adhered to the position of principle that was reflected in the text of regulation 9.1A which it had previously recommended. This text read as follows:

"The probationary period for confirmation of a permanent appointment shall normally not exceed two years. Service in a temporary capacity may be allowed to count towards such confirmation."

On a comparison of the revised rule 104.12 (b) introduced by the Secretary-General and the regulation (9.1A) recommended by the Advisory Committee at the Assembly's sixth session, two differences, the Advisory Committee declared, emerged:

(1) under 9.1A the norm was not fixed, as under 104.12 (b), at two years, but at any period of time not exceeding two years; and (2) the permissive form of 9.1A conferred a lesser right upon a staff member serving under a temporary appointment.

The Advisory Committee reported, however, that objection would not be offered to the Secretary-General's request in view of the considerations to which he had called attention, including, in particular, the desirability of proceeding in consultation with the specialized agencies and the fact that the review of existing temporary staff had not been completed.

The reports of the Secretary-General and of the Advisory Committee were considered by the Fifth Committee at its 374th meeting on 16 December. Discussion was limited, for the most part, to the issue of postponement rather than to the substance of the question. The representatives of Belgium and the Netherlands declared that they were prepared to approve the Secretary General's proposal that the Assembly should take no decision at its current session on this question. They argued, however, that the need for a final solution must not be forgotten.

After the Chairman of the Advisory Committee explained the effects of the provisions contained in the two texts before the Fifth Committee, the Fifth Committee unanimously adopted a resolution recommending that this question be referred to the Assembly's eighth session.

The report of the Fifth Committee (A/2348) was considered by the General Assembly at its 410th meeting on 21 December. The draft resolution contained in the report was adopted unanimously and without discussion as resolution 682 (VII). It read:

"The General Assembly,

"Noting the reports of the Secretary-General and of the Advisory Committee on Administrative and Budgetary Questions on the question of a probationary period,

"1. Requests the Secretary-General to submit through the Advisory Committee on Administrative and Budgetary Questions a final proposal on this question for the consideration of the General Assembly at its eighth session;

"2. Decides to include in the provisional agenda of the eighth session of the General Assembly the item 'Staff Regulations of the United Nations: question of a probationary period'."

5. International Civil Service Advisory Board

The International Civil Service Advisory Board was established by the Administrative Committee

¹⁰³ See Y.U.N., 1951, pp. 115-22.

on Co-ordination in accordance with General Assembly resolution 13(I) of 13 February 1946. The Advisory Board is composed of nine members appointed by the Secretary-General, no two of whom are from the same Member nation, and was set up to advise the United Nations and all its specialized agencies on the methods of recruitment for the Secretariat and on the means by which common standards of recruitment may be insured. Under its present terms of reference, elaborated in the Administrative Committee on Co-ordination by the Secretary-General and the heads of the specialized agencies, the purpose of the Board is "to contribute to the improvement of recruitment and related phases of personnel administration in all of the international organizations".

The Advisory Board held its fourth session in Geneva from 12 to 16 May 1952. This session was devoted to two subjects, namely "In-Service Training in the International Secretariats", discussion of which had been continued from the third session, and "Standards of Professional Conduct in the International Civil Service", an item suggested by the International Labour Organisation.

For its further consideration of the question of in-service training, the Board had before it its own provisional report on the subject as well as the observations of the United Nations and the specialized agencies on the report. In the light of these comments, the Board amended and clarified its provisional report; its final Report on In-Service Training in the United Nations and the Specialized Agencies was published in 1952 (COORD/CIVIL SERVICE/4).

The Administrative Committee on Co-ordination received the final report at its fifteenth session, in October 1952, and commended the conclusions reached by the Board as suitable guiding principles to be followed when in-service training programmes are undertaken within the various organizations.

After completing revision of its provisional report on in-service training, the Board turned its attention to the question of standards of professional conduct in the international civil service. In view of the important and complex nature of this problem, the Board decided not to attempt to prepare a report on the subject at once, but rather to circulate to members of the Board, for their comments, a summary of views expressed and points covered in the discussions on this item. This summary, together with comments of members, would be taken up by the Board at its meeting in 1953.

6. United Nations Administrative Tribunal

The United Nations Administrative Tribunal was established by the General Assembly on 24 November 1949 to hear and pass judgment upon applications alleging non-observance of contracts of employment of United Nations Secretariat staff members or of their terms of appointment. The Tribunal, during 1952, met on three occasions to consider the appeals of four staff members.

It met first in Paris in January to consider the application of a staff member who alleged wrongful termination of his temporary-indefinite contract. The Tribunal rejected the applicant's request for an interlocutory order for his temporary reinstatement pending delivery of the Tribunal's final decision (Judgment no. 13, AT/DEC/13). On the main issues of the case, the Tribunal rejected the applicant's request that the decision to terminate his employment be revoked, and set aside the applicant's alternative request for a recommendation that he should be granted a further period of employment to demonstrate his ability (Judgment no. 14, AT/DEC/14/Rev.I).

The Tribunal next met at the European Office of the United Nations at Geneva from 23 July to 11 August to consider two applications. The first case concerned an appeal against the non-renewal of a fixed-term contract held by a former Secretariat staff member. The Tribunal ruled that, under article 2 of its Statute, it was bound to apply not only the Staff Regulations and Staff Rules, but also the directives issued by the Secretary-General in pursuance thereto, including the provisions of the Administrative Manual. The Tribunal did not consider it necessary to make any pronouncement on the issue raised as to whether the Administration had created any expectancy on the part of the applicant that his contract would be renewed. Attention was rather directed to the point whether the right of association of staff members had been infringed by the action of the Administration. It was observed that this right was recognized by the United Nations as a whole and by the Secretary-General with respect to the members of the Secretariat. It was ruled that since the applicant had taken a very active part in the work of the Staff Association as an officer of the Staff Committee, the non-renewal of his contract was bound to give rise to suggestions as to the denial of the right of association. In this particular case, therefore, the Tribunal considered that, in order to protect the right of association, the Administration was bound to furnish a specific reason for the non-renewal

of the contract and, for this purpose, a general term such as "suitability" was not sufficient. As the applicant had requested compensation instead of rescission of the decision to terminate him, the Tribunal awarded compensation in the amount of \$5,990 together with partial costs corresponding to the travelling expenses of the counsel of the applicant in the amount of \$1,000 (Judgment no. 15, AT/DEC/15).

In the second case, a former staff member of the United Nations International Children's Emergency Fund appealed against the termination of his temporary-indefinite contract. The Tribunal held that under Staff Rule 104 and its interpretation in the Administrative Manual, the Bureau of Personnel of the Secretariat had the duty to consider whether there was a suitable vacancy elsewhere for the applicant. It noted that, while certain efforts were made to find a post for the applicant elsewhere, these efforts, owing to a misinterpretation of the Administration's obligations, were made by a service which was not equipped to take effective action and that, in fact, the inquiries prescribed in the Administrative Manual had not been made. While it was found that there had been non-observance of Staff Rule 104, the Tribunal took into account the fact that the prospect of re-employment for the applicant was hypothetical and therefore awarded the sum of \$400 as compensation (Judgment no. 16, AT/DEC/16).

On 2 December, the Tribunal met at United Nations Headquarters to consider the case of a former Secretariat staff member who contested the non-renewal of his fixed-term contract. The Tribunal ruled that it was not within its functions to deal with a number of internal administrative problems which had been raised in the report of the Joint Appeals Board nor to pronounce upon alleged weaknesses in internal administrative procedures. It noted that the applicant had been given a further period of two months after the expiration of his contract and that the Administration had therefore complied with the spirit of Staff Rule 115 and its interpretation in the Administrative Manual. It observed that all prescribed procedures had been followed by the Administration in this case and that it was therefore not incumbent upon the Tribunal to enter into the motives which might have led to the decision not to renew the contract. The Tribunal found that there had been no non-observance of the contract of employment within the meaning of article 2 of its Statute and accordingly rejected the claims of the applicant (Judgment no. 17, AT/DEC/17).

The Tribunal met in plenary session at Headquarters from 10 to 12 December and elected its officers for 1953. With a view to simplifying the presentation of cases and to expediting oral proceedings, the Tribunal adopted at the same session provisional amendments to its rules. Under the amended rules, each party to a case will, in ordinary circumstances, be restricted to the delivery of one single written document or set of documents to the Tribunal, that is, the staff member's application and the Secretary-General's answer to it. The staff member may, however, submit a further written statement if he renounces any claim to oral hearings. The duration of oral hearings will also be curtailed; they will be limited, as a general rule, to one single day for any given case.

7. Joint Appeals Board and Joint Disciplinary Committee

The Joint Appeals Board and the Joint Disciplinary Committee, as constituted in May 1950, in accordance with General Assembly resolution 352 (IV),¹⁰⁴ continued to function in 1952. These two bodies, established 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.

During 1952, the Joint Appeals Board reported to the Secretary-General on eleven cases of appeals, most of them relating to termination of temporary-indefinite appointments. The Joint Disciplinary Committee considered one case in 1952.

8. United Nations Joint Staff Pension Fund

a. ANNUAL REPORT OF THE UNITED NATIONS JOINT STAFF PENSION BOARD FOR 1951

In pursuance of article 35 of the regulations of the United Nations Joint Staff Pension Fund, the United Nations Joint Staff Pension Board presented to the seventh session of the General Assembly of the United Nations and to the governing bodies of all organizations which are members of the Joint Staff Pension Fund an annual report (A/2189) on the operation of the Joint Staff

¹⁰⁴ See Y.U.N., 1948-49, p. 919.

Pension Fund for the year ended 31 December 1951.

The following organizations participated in the Fund during that year: the United Nations; the World Health Organization (WHO); the Food and Agriculture Organization of the United Nations (FAO); the International Labour Organisation (ILO); the United Nations Educational, Scientific and Cultural Organization (UNESCO); and the International Civil Aviation Organization (ICAO).

In the course of the year, the Joint Staff Pension Board recommended the approval of agreements providing for the admission to the Joint Fund, as member organizations, of UNESCO and ICAO. Agreements admitting these specialized agencies to the Fund were subsequently concluded by the Secretary-General of the United Nations, the effective dates of entry being, for UNESCO 1 January 1951, and for ICAO 1 March 1951. Negotiations were well advanced for the admission of the World Meteorological Organization as a member of the Fund with effect from 1 January 1952.

The report indicated that on 31 December 1951 the active membership of the Fund was 7,582, an increase of 2,092 members during the year. About half this increase was due to the admission of the two new member organizations. The total number of members who entered the Fund since its inception in 1947 was 9,472, and the number of withdrawals in the same period was 1,890.

The number of benefits authorized in 1951 were: 24 retirement, seven widows', eight children's, four disability and 836 withdrawal benefits. The total value of benefits paid during the year was \$515,574, of which withdrawal benefits amounted to \$467,995.

The financial statements showed that the principal of the Fund at the beginning of 1951 was \$14,085,740; the excess of income over expenditure for the year was \$7,237,700, thus making a total Fund at 31 December 1951 of \$21,323,440.

Investments at book value amounted to \$20,731,321 at the end of the year. These investments consisted of Canadian and United States Federal Government paper and highly-graded United States corporate paper, mostly of railways and utilities. The rate of yield of the current investments was a little in excess of 21/2 per cent per annum, which was the rate of interest assumed for the actuarial basis of the Fund.

A reference was made in the report to the question of the competent jurisdiction for hearing applications alleging non-observance of Joint Staff

Pension Fund regulations. Under the Statute, the United Nations Administrative Tribunal is competent to receive appeals from United Nations staff members alleging non-observance of the Pension Fund Regulations. That competence does not, however, extend to any one of the five specialized agencies in the Joint Fund, although it is open to them to accept the jurisdiction of the Tribunal. One of the agencies has its own tribunal. The question was referred to the General Assembly for consideration without a recommendation.

In a report (A/2285) to the General Assembly, the Advisory Committee on Administrative and Budgetary Questions made a number of observations on this question. The Committee was of the opinion that a single jurisdiction was indispensable in order to secure equality of treatment among participants. The Committee suggested that, as the most practical course, member organizations should be invited to accept the exclusive jurisdiction of the United Nations Administrative Tribunal.

The report of the Joint Staff Pension Board (A/2189) and the observations of the Advisory Committee (A/2285) were considered by the Fifth Committee of the General Assembly at its 369th meeting, held on 6 December 1952. Discussion in the Committee was concerned, for the most part, with the question of jurisdiction. The representatives of Canada and the Netherlands indicated their concurrence in the recommendations of the Advisory Committee that the most practical course would be to invite organizations, members of the Joint Staff Pension Fund, to accept the exclusive jurisdiction of the United Nations Administrative Tribunal.

The Fifth Committee by 41 votes to none, and, on its recommendation (A/2347), the General Assembly, at its 410th plenary meeting on 21 December, without discussion and without objection, adopted a resolution (678(VII)) on the matter. It read:

"The General Assembly

"1. Takes note of the annual report of the United Nations Joint Staff Pension Board for the year ended 31 December 1951;

"2. Requests the Secretary-General to bring to the attention of the specialized agencies which are members of the United Nations Joint Staff Pension Fund the reports submitted to the General Assembly at its seventh session by the United Nations Joint Staff Pension Board and by the Advisory Committee on Administrative and Budgetary Questions;

"3. Recommends that the appropriate governing organs of the specialized agencies concerned accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of Pension Fund regulations;

"4. Requests the Secretary-General to report to the General Assembly at its eighth session on the action taken by the specialized agencies concerning this recommendation."

b. SECOND ACTUARIAL VALUATION OF THE UNITED NATIONS JOINT STAFF PENSION FUND

Under the terms of article 31 of the regulations of the Joint Staff Pension Fund, the Joint Staff Pension Board is required to have actuarial valuations of the Fund made at stated intervals. The Board is further required, under that article, to make proposals to the General Assembly and to member organizations for any action to be taken as a result of the valuation.

The first actuarial valuation was made as of 31 December 1949; the second valuation as of 31 December 1951. Both valuations were made by the consulting actuary of the Board, George B. Buck (New York). The report of the second valuation (A/2190) was transmitted to the General Assembly for consideration at its seventh session. Included in the report were the results of an investigation by the actuary into the mortality, service and compensation experience of the participants and beneficiaries of the Fund. The consulting actuary recommended, *inter alia*, because of the short experience of the Fund, that the current rate of contributions by member organizations (14 per cent) should be continued, even though it was slightly higher than the rate of 13.48 per cent shown by the valuation to be necessary; the Board concurred in this recommendation.

Pursuant to a request of the Fifth Committee, the report of the Joint Staff Pension Board was reviewed by the Advisory Committee on Administrative and Budgetary Questions. The observations of the Advisory Committee on the question were presented in its 24th report to the seventh session of the Assembly (A/2285). The Advisory Committee, while not dissenting from the recommendation that the aggregate contribution rate should be maintained at 21 per cent of participants' pensionable remuneration (contributions of participants, 7 per cent; contributions of member organizations, 14 per cent), believed that the following points merited consideration:

(a) The ratio between the respective rates of contribution currently authorized by the General Assembly (member organizations, two; participants, one) had been laid down, and therefore might be revised, if necessary, by the Assembly;

(b) The existing rate of 21 per cent, currently yielding a surplus which was being used to accumulate a reserve fund for contingencies, might be changed by

the Assembly on the recommendation of the Board, for social or other reasons;

(c) Although the use of a part or the whole of any such surplus for changes in benefits might be justified in certain circumstances, it should serve to protect the interests both of member organizations and participants. The reserve fund should likewise ensure that article 19 of the regulations, which require the governments of members of the various organizations to make good any deficiency which an actuarial valuation may show, be invoked only as an emergency measure.

The report of the Joint Staff Pension Board and the observations thereon made by the Advisory Committee were considered by the Fifth Committee at its 369th meeting on 1 December 1952. The Fifth Committee, by 43 votes to none, and, on its recommendation (A/2346), the General Assembly, at its 410th plenary meeting on 21 December 1952, adopted, without discussion and without objection, a resolution (679 (VII)) taking note of the report of the Joint Staff Pension Board and of the observations thereon by the Advisory Committee.

c. AMENDMENTS TO THE REGULATIONS FOR THE UNITED NATIONS JOINT STAFF PENSION FUND

The United Nations Joint Staff Pension Board submitted to the seventh session of the General Assembly a report (A/2203) proposing a number of amendments to the existing regulations of the Joint Staff Pension Fund which were adopted by the General Assembly in 1948 and came into force in January 1949 (resolution 248(III) of 7 December 1948).¹⁰⁵

The report stated that the proposed amendments did not seek to achieve any substantial change in the structure of the Fund or in the benefits payable. Most of them were editorial or proposed for the purpose of clarifying the existing provisions. The only changes in benefits payable at present were contained in articles 7 (death benefits), 8 (children's benefits and orphans' benefits), 11 (summary dismissal for serious misconduct), 12 (re-employment) and 16 (leave without pay for military service). The amendments, the report explained, had been put forward after having been the subject of investigation by working parties of the Board and after having been considered by the Staff Pension Committee of each member organization. Throughout its discussions, the Joint Staff Pension Board, the report stated, had kept in mind the actuarial implications of the proposed amendments, and it was of the opinion that any changes in benefits which would result from their adoption could be absorbed by

¹⁰⁵ See Y.U.N., 1948-49; pp. 912-18.

the contributions currently made to the Fund by participants and member organizations.

The proposed amendments were referred to the Advisory Committee on Administrative and Budgetary Questions which commented on them in its 24th report (A/2285) to the Assembly's seventh session. The Advisory Committee stated that, in view of the fact that the proposed amendments represented the agreed views of all organizations which were members of the Fund, the Committee had confined its observations to points of major importance. It made a number of observations on the various articles. For example, the Committee reached the conclusion that, in view of the gravity of any disciplinary offence leading to summary dismissal, the existing regulation (article 11) was an equitable one and should be retained. Also, a review of the policy regarding article 16 might, in the opinion of the Committee, be undertaken by the Administrative Committee on Co-ordination for report to the next Assembly session. Subject to these observations, the Advisory Committee was prepared to recommend the adoption of the proposed amendments to the regulations, on the understanding that the additional costs, if any, could be met within the existing structure of the Fund without affecting its actuarial position.

The reports of the Joint Staff Pension Board and of the Advisory Committee were considered by the Fifth Committee at its 369th meeting on 6 December 1952.

An oral proposal made by the representative of the United States to refer article 11 back to the Pension Board for further consideration in the light of the Advisory Committee's comments was approved by the Fifth Committee by 35 votes to none, with 6 abstentions.

A United Kingdom oral proposal to maintain the existing text of article 16, pending a review of the problem by the Administrative Committee on Co-ordination and the Joint Staff Pension Board, was approved by 36 votes to none, with 6 abstentions.

An amendment to article 27, regarding administrative expenses, was adopted by 40 votes to none, with 1 abstention. The amendment, proposed by the Joint Staff Pension Board, would make possible the sharing amongst member organizations of the administrative expenses of the Pension Board. The Committee referred at the same time to the Board a suggestion of the Advisory Committee to the effect that expenses incurred by the Pension Board should be charged

against the Pension Fund instead of being met out of the general budget of the United Nations.

Article 38 concerning the termination of the membership of a member organization—a new article—was voted upon in parts. Paragraphs (a) and (b) were adopted by 11 votes to 7, with 26 abstentions. Paragraph (c), concerning the dissolution of the Fund, was rejected by 13 votes to 4, with 27 abstentions. This paragraph was felt to be inappropriate in the regulations.

The other amendments proposed by the Joint Staff Pension Board were approved without objection.

Subject to the Committee's decision with respect to articles 11, 16 and paragraph (c) of article 38 and with some drafting changes, the amendments to the regulations of the Pension Fund as recommended by the Pension Board were then adopted by 42 votes to none.

The General Assembly considered the report of the Fifth Committee (A/2345) at its 410th plenary meeting of 21 December, and adopted the resolution recommended by the Committee, without discussion and without objection, as resolution 680(VII). It read:

"The General Assembly,

"Having considered the recommendations proposed by the United Nations Joint Staff Pension Board in pursuance of article 37 of the Regulations for the United Nations Joint Staff Pension Fund, with respect to amendments and additions to be made in the Regulations,

"1. Approves the amendments and additions to the Regulations for the United Nations Joint Staff Pension Fund as set forth in the annex¹⁰⁶ to the present resolution and decides that the Regulations so amended shall take effect as from 1 January 1953;

"2. Refers the proposals of the Joint Staff Pension Board relating to articles 11 and 16 to the Board for further consideration in the light of the observations presented with respect to these articles in the twenty-fourth report of the Advisory Committee on Administrative and Budgetary Questions to the seventh session of the General Assembly and of the discussions held at the 369th meeting of the Fifth Committee;

3. Refers to the Joint Staff Pension Board for consideration at its next session the recommendation of the Advisory Committee on Administrative and Budgetary Questions that the administrative expenses incurred in the administration of the Regulations of the United Nations Joint Staff Pension Fund should be charged to the Fund;

"4. Requests the Joint Staff Pension Board to report to the General Assembly at its eighth session on the matters referred to in paragraphs 2 and 3 of the present resolution."

¹⁰⁶ For text of revised Regulations annexed to the resolution, see General Assembly, Official Records: Seventh Session Supplement No. 20 (A/2361) pp. 53-59.

9. United Nations Interne Programmes

Three United Nations interne programmes were held in 1952. This marked the sixth year of operation of these programmes, which were initiated in July 1947. The first programme during 1952, for civil servants, was held from 31 March to 23 May; it was attended by twenty civil servants, from sixteen Member Governments, and its specific purpose was to study the working methods and procedures of the United Nations Secretariat.

The second programme, for students, held during the summer, was in two sections. The first section was held at the Geneva Office from 23 June to 15 August and was attended by eleven students from eleven countries. The main interests of this group were in the work of the International Law Commission and the Economic Commission for Europe. The second section was held at the United Nations Headquarters in New York from 7 July to 29 August, and was attended by 40 students from 25 countries. This group included eleven students accepted on a scholarship basis from ten universities, and seven "Auditeurs Libres"¹⁰⁷ principally from non-member governments. There were also three representatives from non-governmental organizations. Special emphasis was placed at the second section on the work of the Trusteeship Council and on the agenda and functions of the seventh session of the General Assembly.

The third programme, for civil servants, was conducted at the New York Headquarters. It was attended by 31 internes; 25 from the civil services of 22 Member Governments, and six representatives (involving four additional nationalities) from non-governmental organizations. In addition, seven scholars from the American Ford Foundation were given permission to attend the lectures. This programme concentrated on a study of the operations and procedures of the General Assembly.

By the end of 1952, a total of 568 internes from 55 countries had taken part in these eight-week programmes.

10. Staff Services

a. HEALTH SERVICE

In 1952, the medical expert committees, organized by the Health Service in the Department of Administrative and Financial Services to advise on tuberculosis, cardiovascular diseases and mental hygiene, submitted their recommendations regarding standards for employability and placement. On the recommendation of the Tuberculosis Ex-

pert Committee, the Health Service instituted a programme of chest X-rays for United Nations staff members at intervals of no less than two years, and a pre- and post-natal chest X-ray system was begun.

The Health Service also set up during the year a card code system for the purpose of sick leave studies such as cause, incidence and seasonal variations.

b. UNITED NATIONS HOUSING

On 12 June 1952 an agreement was signed between the United Nations and Parkway Village, Incorporated, under the terms of which the Housing Section of the United Nations Secretariat has been able to hold the United Nations responsibility for leases in Parkway Village, Long Island, to a level approximating the needs of the United Nations Staff for such apartments. At the end of 1952 there were 300 United Nations tenants in Parkway Village, including some 30 members of delegations and of the staff of the specialized agencies. In addition, four apartments were occupied by the International school.

When an apartment is vacated by a United Nations tenant and there are no requests for the apartment, it is immediately released to the Parkway Management for renting to a tenant not of the United Nations. When the apartment is rented in this way, United Nations responsibility ceases.

The Housing Section thus offers to new United Nations applicants for Parkway Village accommodation only vacant apartments on which the United Nations has guaranteed leases. In this way the responsibility of the United Nations in respect of Parkway Village was gradually being reduced during 1952, while, at the same time, provision was being made to secure adequate housing for new staff members and new members of delegations to the United Nations.

During 1952 the Housing Section continued to serve staff members in need of assistance in finding housing, in counselling on many housing problems, such as privileges and obligations under leases and in subletting accommodation during home leave and mission assignments.

c. VOLUNTEER SERVICES

During 1952, the United Nations Volunteer Services, consisting of 22 women volunteers under the direction of a staff chief and staff secretary,

¹⁰⁷ An interne given permission to attend the programme, but who pays his own expenses.

carried out a broad programme of services for the benefit of the United Nations Secretariat, and, in particular, for the benefit of new staff members.

During the year 1133 persons participated in 88 hospitality events as guests of 303 American families. Volunteer Services conducted counselling services on vacation and travel, and assisted staff members in making plans for weekends and vacations. Staff members, with sons and daughters of school and camp age, were also assisted in making selections for suitable places to send their children to school or to camp.

Volunteer Services operated as a daily information service for staff members on shopping, theatres, musical events and sports programmes. It distributed tickets for radio and TV programmes, and also literature about lectures, adult education classes and other interesting facilities available in New York City. Special-rate tickets for Philharmonic concerts were made available to a large number of staff members and their families. Many sight-seeing and "Know your City" educational tours were conducted, and "welcome teas" were held each month for all new staff members.

F. BUDGETARY ARRANGEMENTS

1. Financial Reports and Accounts and Reports of the Board of Auditors

a. UNITED NATIONS: YEAR 1951

The Board of Auditors submitted a report (A/2123) to the seventh session of the General Assembly covering the United Nations financial year ended 31 December 1951. Obligations incurred for 1951, the report said, amounted to \$48,628,383 compared with total appropriations of \$48,925,500. The balance on surplus account at 31 December 1951 was \$1,503,594. Of this amount \$1,239,203 was transferred to the Working Capital Fund in 1952 in accordance with the terms of General Assembly resolution 585(VI) of 21 December 1951. On the other hand, \$116,120 was charged to the assessed contributions for 1952 covering a portion of the deficiency in miscellaneous income. The remaining balance, available for credit to Members against 1953 contributions, or for transfer to the Working Capital Fund, was therefore \$380,511.

The Advisory Committee on Administrative and Budgetary Questions, in its first report to the seventh session of the Assembly (A/2157), submitted observations on the above report. The Committee, among other things, reiterated its suggestion to the effect that studies of missions administration by officers with specialized experience in administration and finance should be undertaken, with a view to effecting economies both by better utilization of staff and by simplification of procedures.

The Fifth Committee, at its 343rd meeting on 20 October 1952, considered the financial report and accounts and reports of the Board of Auditors as well as the observations of the Advisory Committee. The representatives of the USSR and Czechoslovakia objected to certain parts of the

report of the Board of Auditors and requested a vote on it. The financial report and accounts of the United Nations for 1951 and the certificate of the Board of Auditors were approved by the Fifth Committee by 45 votes to none, with 5 abstentions.

The Assembly at its 398th plenary meeting on 25 November 1952 adopted the resolution proposed by the Fifth Committee (A/2265), without discussion, by 48 votes to none, with 5 abstentions. The resolution 658(VII) read:

"The General Assembly

"1. Accepts the financial report and accounts of the United Nations for the financial year ended 31 December 1951, and the certificate of the Board of Auditors;

"2. Concurs in the observations of the Advisory Committee on Administrative and Budgetary Questions with respect to the report of the Board of Auditors."

b. UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND: YEAR 1951

In accordance with resolution 57(I) establishing the United Nations International Children's Emergency Fund (UNICEF), the Secretary-General submitted to the seventh session of the General Assembly an annual audit (A/2124) of the accounts of the Fund for the year ended 31 December 1951, which had been carried out by the Board of Auditors. The Assembly also had before it the Advisory Committee's observations (A/2220) on the report.

The Secretary-General's report showed that income from all sources in 1951 totalled \$11,423,015. Expenditures for 1951 totalled \$22,571,234. The principal of the Fund at 31 December 1951 amounted to \$27,199,237, of which \$24,998,801 was allocated by the Executive Board, leaving an unallocated surplus of \$2,200,436.

In its observations, the Advisory Committee stated that further scope for economy—besides keeping administrative costs to a minimum—might also be found in the possible utilization of United Nations branch offices and technical assistance personnel for certain functions of regional liaison and procurement. It was further suggested that where, as in Bangkok, separate United Nations and UNICEF establishments are maintained, a greater effort towards the co-ordination of services would be appropriate. The Advisory Committee had been informed that the Fund had not so far experienced serious difficulty in utilizing contributions made in soft currencies. It trusted that, wherever possible and with due regard to the Fund's requirements, arrangements could be made for a fuller interchange of available currencies as between UNICEF and other United Nations programmes.

The Fifth Committee, at its 343rd meeting on 20 October 1952, unanimously adopted a draft resolution (A/2265), which was likewise adopted unanimously, and without discussion, by the General Assembly at its 398th plenary meeting on 25 November 1952, as resolution 659(VII). It read:

"The General Assembly

"1. Accepts the financial report and accounts of the United Nations International Children's Emergency Fund for the financial year ended 31 December 1951, and the certificate of the Board of Auditors;

"2. Takes note of the observations of the Advisory Committee on Administrative and Budgetary Questions with respect to the report of the Board of Auditors."

c. UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: 1 JANUARY 1951 TO 30 JUNE 1952

The financial statements of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period 1 January 1951 to 30 June 1952, together with the report of the Board of Auditors (A/2207) thereon, were submitted to the seventh session of the General Assembly. The Assembly also had before it the observations of the Advisory Committee (A/2238) on the report.

The statement of income and expenditures during the eighteen-months period under review showed that the total income amounted to \$57,298,113, and the total expenditure to \$42,130,595 leaving an excess of income over expenditure of \$15,167,518. When the \$6,904,991 balance as at 31 December 1950 was added, the result was that the Agency had \$22,072,509 available for its activities after 30 June 1952.

In its observations, the Advisory Committee stated that it was informed that, on the basis of a commitment and expenditure programme of not less than \$100,000,000 during the financial year 1952-53, administrative costs could, it was anticipated, be held at a ratio of 3 per cent or less. The Committee also took note of the satisfactory recruitment policy followed by the Agency and of the gratifying increase in the number of contributors, both governmental and non-governmental, to the programme. The Advisory Committee suggested that savings should be possible in future years through the omission from the annual report of the Director of financial statements which constitute an unnecessary and costly duplication.

The Fifth Committee considered the financial statements and the observations of the Advisory Committee at its 352nd meeting on 3 November 1952. A resolution adopted by the* Fifth Committee (A/2265) by 42 votes to none, with 5 abstentions, was adopted by the General Assembly at its 398th plenary meeting on 25 November, without discussion, by 48 votes to none, with 5 abstentions, as resolution 660(VII). It read:

"The General Assembly

"1. Accepts the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the period 1 January 1951 to 30 June 1952, and the certificate of the Board of Auditors;

"2. Takes note of the observations of the Advisory Committee on Administrative and Budgetary Questions."

d. UNITED NATIONS KOREAN RECONSTRUCTION AGENCY: YEAR ENDING 30 JUNE 1952

The financial statements of the United Nations Korean Reconstruction Agency, together with the audited accounts and the report of the Board of Auditors for the financial year ended 30 June 1952 (A/2205), were submitted to the seventh session of the General Assembly. The Assembly also had before it the observations of the Advisory Committee (A/2239) on the report.

The statement of income and expenditure for the period under review showed that total income amounted to \$11,975,429, while total expenditure amounted to \$4,132,705, leaving an excess of income over expenditure of \$7,842,724. At the end of the previous year, the excess of income over expenditure was \$6,743,633; therefore, when the increment for the year of \$7,842,724 was added, the Agency had \$14,586,357 available, as at 30 June 1952, for future operations.

In its observations, the Advisory Committee stated that it had inquired, in particular, into the high ratio of administrative to other costs disclosed

in the financial statements of the Agency's report. The Advisory Committee noted that two main factors had contributed to this situation: first, the limited scope of the operations which the Agency could undertake and second, the fact that, under the system of accounting in force during the period under review, certain items of an operational character had been recorded as administrative costs. The Advisory Committee declared that it was, however, informed: (1) that a plan of expenditure involving a total of \$70,000,000 in respect of the balance of the financial year 1952-53 provided for administrative expenditure in a ratio of 3.75 per cent to total expenditure, a figure which the Advisory Committee considered to be reasonable; and (2) that care would be exercised in the recruitment of administrative staff so as to ensure a proper balance between administrative and operational personnel. The Committee was satisfied that, if the ratio applied did not exceed the figures mentioned above, administrative expenses would not be excessive.

The Fifth Committee, at its 352nd meeting on 3 November 1952, by 40 votes to none, with 5 abstentions, adopted a resolution (A/2265) which was adopted by the General Assembly, without discussion, at its 398th plenary meeting on 25 November 1952, by 48 votes to none, with 5 abstentions, as resolution 661 (VII). It read:

"The General Assembly

"1. Accepts the financial report and accounts of the United Nations Korean Reconstruction Agency for the financial year ended 30 June 1952, and the certificate of the Board of Auditors;

"2. Takes note of the observation of the Advisory Committee on Administrative and Budgetary Questions."

2. Supplementary Estimates for the Financial Year 1952

In a report (A/C.5/507 and Corr.1) to the seventh session of the General Assembly, the Secretary-General recalled that the Assembly, by resolution 583(VI) of 12 December 1951, had approved appropriations of \$48,096,780 to meet expenses of the United Nations for the financial year 1951. Additional requirements had, however, arisen in the course of the year and, after allowance had been made for anticipated savings on the 1952 appropriations, would increase appropriations for the financial year 1952 by \$2,442,420, thus making the total requirements \$50,539,200. Of the total supplementary provision requested, \$1,650,000 was estimated to be required for reimbursement of national income taxes, as authorized by Assembly resolution 585 A (VI) of 21 December 1951. Other major items for which budgetary

provision was requested included additional expenditures for political missions (\$462,750), increased common staff costs (\$468,000) and additional costs incurred in 1952 in connexion with the prolongation of the sixth session of the General Assembly (\$180,200).

The Advisory Committee on Administrative and Budgetary Questions, in its eleventh report to the seventh session of the Assembly (A/2256), made a number of observations and recommendations on the Secretary-General's report. In its observations, the Advisory Committee expressed the view that: (1) exemption from national taxation was indispensable; (2) stricter methods of control should be introduced, where indicated, in the administrative and financial arrangements of United Nations missions; (3) it might have been possible to use less costly arrangements with respect to the Headquarters furniture programme and to new stamp issues of the United Nations Postal Administration; (4) it might be possible to introduce a system of compensatory time off for United Nations guards; and (5) it was desirable that the loans made to the Interim Commission of the International Trade Organization should be repaid at an early date. Subject to these observations, the Advisory Committee recommended that the amount of \$48,096,780 appropriated for the financial year 1952 be increased by \$2,442,420, as requested by the Secretary-General.

The Fifth Committee, at its 365th meeting on 17 November 1952, considered the Secretary-General's report and the observations on it made by the Advisory Committee.

The representative of the USSR objected to the provision of funds for reimbursement of national income taxes on the ground that the adoption of the staff assessment scheme was intended to solve this particular problem and that, in any event, ample time had elapsed for the Member States concerned to make appropriate arrangements in compliance with the decision of the General Assembly. He stated further that he could not approve appropriations for certain political missions which he considered had been illegally created in contravention of the provisions of the Charter. Nor was there any justification for requesting additional funds for the Assembly's sixth session since, with prudent management on the part of the Secretariat, expenditures should have been kept within the level of the appropriations originally authorized.

In connexion with the question of tax reimbursement, the representative of Norway stated that he would vote in favour of the appropriations needed to refund to the staff members national

income taxes paid by them on salaries or emoluments received from the United Nations. He considered it essential, however, that the General Assembly be apprised of all the facts and for this purpose requested that an inquiry be undertaken into the financial implications for the United Nations budget of the new United States Immigration Act which was shortly to come into force. In order that the Fifth Committee might be able fully to review the situation, it was necessary to know, among other things, the composition of the staff, including, in particular, the number of locally recruited personnel other than United States nationals who, under the provisions of the new law, might in the future be liable for payment of United States income tax.

The representative of Australia, supported by the representatives of Belgium, Brazil, Denmark, Egypt, Iran and Syria, proposed that the supplementary estimates for 1952 be increased by \$8,460. The General Assembly, at its sixth session, he said, had authorized the Secretary-General to grant a subsidy of this amount to the International School at Parkway Village if it could be made available through savings under Common Staff Costs. The expected savings, however, had not materialized, with the result that the Secretary-General had been obliged to seek recovery of an advance of \$4,230 made to the School in January 1952. The School was not in a position to repay the sum and, unless the intended subsidy towards its 1952-53 expenses was forthcoming, there was serious danger that a pedagogic experiment which had created interest in many countries of the world would have to be abandoned.

The representative of Uruguay, in supporting the proposal, asked that the Secretary-General should submit a complete report on the work of the International School and its requirements. The representatives of the Netherlands, Norway and the United Kingdom urged that this report should be made available at the current session. They considered that the question of subsidies raised important principles. While they were prepared to support the Australian proposal for a supplementary appropriation for 1952, they were not prepared to consider this action as a precedent nor to prejudice any decision which might be reached subsequently in connexion with appropriations for the 1953 or future budgets.

After the debate, the Fifth Committee first decided, by 40 votes to none, with 7 abstentions, to include an additional supplementary appropriation of \$8,460 under Common Staff Costs and to request the Secretary-General to report to the current session of the Assembly on the operation

of the School, its financial position and on plans for the future. (The Secretary-General later presented a report on the School (A/C.5/524 and Add.1), which was considered by the Fifth Committee at its 370th and 373rd meetings held on 9 and 13 December 1952. An Australian oral proposal for an appropriation not exceeding \$7,400, under Common Staff Costs of the 1953 budget, to cover the rent of the premises occupied by the United Nations International School, was adopted by 27 votes to none, with 13 abstentions, at the 373rd meeting.) The Committee then approved, by 43 votes to 5, a draft resolution increasing the amount of \$48,096,780 appropriated for the financial year 1952 by a total of \$2,450,880. This resolution (A/2266) was adopted without discussion by the General Assembly by 48 votes to 6, at its 398th plenary meeting on 25 November 1952, as resolution 662 (VII). It read:

The General Assembly

Resolves that the amount of \$US48,096,780 appropriated for the financial year 1952 by resolution 583 (VI) adopted on 21 December 1951, is increased by \$2,450,880 as follows:

{See table on pp. 110-11.}

3. Budget of the United Nations for

The Secretary-General submitted to the seventh session of the General Assembly budget estimates for 1953 (A/2125 and Add.1), totalling \$47,765,200, with an income estimated at \$6,112,500, leaving a net expenditure of \$41,652,700. The amount of \$47,765,200 for 1953 compared with an approved budget for 1952 of \$48,096,780 and a total expenditure for 1951 of \$48,628,383.

In accordance with the Agreement concluded with the United States Government, the 1953 estimates included an increased provision for the amortization of the Headquarters Loan — \$1,500,000 in 1953, as against \$1,000,000 in 1952. Other main increases in the 1953 estimates, the Secretary-General said, covered: expansion of the activities of the Economic Commission for Asia and the Far East and the Economic Commission for Latin America (\$215,000); operation and maintenance throughout a full year of the Headquarters buildings, including the General Assembly Hall (\$370,000); increase in Common Staff Costs at Headquarters, especially on account of home leave, pension contributions and children's allowances (\$315,000); and an increase in the publications programme (\$100,000). The additional requirement at Headquarters and in branch

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1952

{See resolution 662(VII) on p. 109.}

	AMOUNT APPROPRIATED AS ADJUSTED UNDER RESOLUTION 583 (VI)	SUPPLEMENTARY APPROPRIATION, INCREASE OR decrease (italic figures)	REVISED AMOUNTS OF APPROPRIATION
A. UNITED NATIONS			
Dollars (US)			
PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES			
Section			
1. The General Assembly, Commissions and Committees	\$1,450,400	\$161,800	\$1,612,200
2. The Security Council, Commissions and Committees			
3. The Economic and Social Council, Commissions and Committees	149,770	6,200	155,970
(a) Permanent Central Opium Board and Narcotic Drugs Supervisory Body	16,000		16,000
(b) Regional Economic Commissions	50,300	24,400	25,900
4. The Trusteeship Council, Commissions and Committees	50,000		50,000
TOTAL, PART I	<u>1,716,470</u>	<u>143,600</u>	<u>1,860,070</u>
PART II. INVESTIGATIONS AND INQUIRIES			
5. Investigations and inquiries	2,350,300	462,750	2,813,050
(a) United Nations Field Service	517,160	20,000	497,160
TOTAL, PART II	<u>2,867,460</u>	<u>442,750</u>	<u>3,310,210</u>
PART III. HEADQUARTERS, NEW YORK			
6. Executive Office of the Secretary-General	489,860		489,860
(a) Library	473,450	6,150	467,300
7. Department of Security Council Affairs	791,040	25,040	766,000
8. Military Staff Committee secretariat	140,800	24,700	116,100
9. Technical Assistance Administration	300,000		300,000
10. Department of Economic Affairs	2,309,910	74,010	2,235,900
11. Department of Social Affairs	1,704,410	9,310	1,695,100
12. Department for Trusteeship and Information from Non-Self-Governing Territories	933,970		933,970
13. Department of Public Information	2,732,310		2,732,310
14. Department of Legal Affairs	454,370	7,070	447,300
15. Conference and General Services	7,811,940	58,060	7,870,000
16. Administrative and Financial Services	3,067,780	91,820	3,159,600
17. Common staff costs	4,145,000	2,126,460	6,271,460
18. Common services	3,572,900	48,500	3,524,400
19. Permanent equipment	517,100		517,100
(a) Improvements to premises	91,500		91,500
TOTAL, PART III	<u>29,536,340</u>	<u>2,081,560</u>	<u>31,617,900</u>
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)	4,305,120	34,000	4,339,120
Chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body.	55,700	10,300	45,400
(a) Office of the United Nations High Commissioner for Refugees	639,100	39,100	600,000
TOTAL, PART IV	<u>4,999,920</u>	<u>15,400</u>	<u>4,984,520</u>

	AMOUNT APPROPRIATED AS ADJUSTED UNDER RESOLUTION 583(VI)	SUPPLEMENTARY APPROPRIATION, INCREASE OR decrease (italic figures)	REVISED AMOUNTS OF APPROPRIATION
PART V. INFORMATION CENTRES			
Dollars (US)			
.Section			
21. Information centres (other than information services, United Nations Office at Geneva)	\$892,300	.....	\$892,300
TOTAL, PART V	892,300	.....	892,300
PART VI. REGIONAL ECONOMIC COMMISSIONS (other than the Economic Commission for Europe)			
22. Economic Commission for Asia and the Far East	973,800	25,400	999,200
23. Economic Commission for Latin America	734,700	.....	734,700
TOTAL, PART VI	1,708,500	25,400	1,733,900
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)	814,570	70,030	744,540
Chapter VI, Permanent Central Opium Board and Narcotic Drugs Supervisory Body	8,960	.....	8,960
26. Publications	850,000	150,000	700,000
TOTAL, PART VIII	1,673,530	220,030	1,453,500
PART IX. TECHNICAL PROGRAMMES			
27. Advisory social welfare functions	768,500	.....	768,500
28. Technical assistance for economic development	479,400	.....	479,400
29. Programme for training in public administration	145,000	.....	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 ..	1,000,000	.....	1,000,000
(a) Headquarters construction costs	1,000,000	.....	1,000,000
TOTAL, PART X	2,649,500	.....	2,649,500
B. THE INTERNATIONAL COURT OF JUSTICE			
PART XI. THE INTERNATIONAL COURT OF JUSTICE			
32. The International Court of Justice	639,860	7,000	632,860
TOTAL, PART XI	639,860	7,000	632,860
GRAND TOTAL	\$48,096,780	\$2,450,880	\$50,547,660

offices for within-grade increments (approximately \$750,000) was offset by savings resulting from the suppression of a number of established posts at Headquarters (\$200,000), a reduction in the number of political missions (\$350,000) and a reduction in the cost of permanent equipment (\$295,000). Examination of the estimates in this way, he noted, revealed an apparent increase in comparable items of \$945,000 in 1953.

The main features of the budget estimates for 1953 were reflected in the following table, which showed a part-by-part comparison with the 1952 appropriation:

	1953	1952
I. Sessions of the General Assembly, the Councils, Commissions and Committees	936,900	1,716,470
II. Investigations and Inquiries	2,565,200	2,867,460
III. Headquarters, New York	30,432,600	29,613,440
IV. United Nations Office at Geneva (includes Office of the High Commissioner for Refugees)	5,053,600	4,946,520
V. Information Centres (excluding Information Centre, Geneva)	892,300	892,300
VI. Regional Economic Commissions (other than Economic Commission for Europe)	1,924,800	1,708,500
VII. Hospitality	20,000	20,000
VIII. Contractual Printing	1,756,600	1,649,830
IX. Technical Programmes.	1,392,900	1,392,900
X. Special Expenses	2,149,500	2,649,500
XI. International Court of Justice	640,800	639,860
TOTAL	\$47,765,200	\$48,096,780

The Secretary-General's estimates for the 1953 budget were examined by the Advisory Committee on Administrative and Budgetary Questions. In a report (A/2157) to the General Assembly, the Advisory Committee recommended that the Assembly approve for 1953 appropriations totaling \$46,774,300, or a saving of \$990,900, compared with the figure (\$47,765,200) recommended by the Secretary-General.

In the course of 30 meetings, the 344th to the 374th held between 20 October and 16 December 1952, the Fifth Committee considered in detail the budget estimates for 1953, as submitted by the Secretary-General and reviewed by the Advisory Committee.

The keynote of the Committee's general discussion was an emphasis by most of the representatives

participating on the continuing upward trend of expenditures and the need for seeking a still greater measure of budgetary stabilization. While there was widespread appreciation of the efforts made in this direction by the Advisory Committee and by the Secretary-General himself, the importance was stressed of the United Nations making itself an example of efficiency, economy and simplicity to national administrations. This objective, it was suggested, could best be accomplished by putting first things first, by continuously reviewing the organization and work of the Secretariat and constantly seeking to improve its methods of operation. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR reaffirmed the view previously expressed in meetings of the Fifth Committee that the objective should be to operate within a predetermined budget ceiling and suggested that serious consideration be given to the establishment of \$35,000,000 net as an appropriate target. Other representatives, in particular those of Australia and Iraq, who were equally desirous of economy, did not consider a predetermined budget ceiling practicable or necessarily desirable. The universal desire for a stabilized budget, it was stated, did not mean that it should be made inflexible to a harmful degree, and serious misgivings were expressed as to whether such measures would not impair the work of vital services and hamper the execution of essential programmes. The representative of Norway declared that stabilization did not mean the establishment of a fixed ceiling, but rather that expenditure be incurred only in proportion to the practical results which the United Nations hoped to obtain. The representative of New Zealand felt that a sounder way of effecting economy and achieving an adequate degree of stability might be to examine proposed activities, one by one, with a view to the restriction of those which lent themselves to curtailment or postponement without harmful consequences.

Subject to these general reservations, the specific recommendations made by the Advisory Committee were generally supported. In some instances, however, especially with respect to the cost of public information activities, doubt was expressed as to whether the reductions proposed might not impair services or activities which some representatives, in particular the representative of Brazil, considered should be maintained at least at the 1952 level of expenditure. It was agreed by the representatives of Belgium, Iraq, Pakistan and Peru that the effectiveness of the Organization, as an instrument of international peace and secur-

ity, should be measured by its positive achievements rather than by the publicity given to them. At the same time, the view was strongly held by the representatives of, among others, Brazil, Cuba, Ecuador, the Philippines, Uruguay and Yugoslavia that the peoples of the world, on whose informed and insistent support the continuing success of the Organization so largely depended, must be kept fully informed of its aims and activities.

Other directions in which economies were sought included the costs of temporary assistance, consultants, official travel and the expenses of meetings held away from Headquarters. On the last item, a number of representatives including, among others, those of Iraq, Mexico, New Zealand, Pakistan and Uruguay, thought that with the new Headquarters fully equipped and available, the holding of meetings away from Headquarters should be discouraged. The view was also expressed by, in particular, the representative of Norway, however, that reductions in the costs of meetings could be achieved by careful planning and scheduling of meetings with a view to the maximum utilization of available facilities both at Headquarters and in Geneva, and not by restricting meetings to Headquarters alone.

The subject of the re-organization of the Secretariat figured prominently in the general discussion. The representative of Egypt, among others, voiced regret that the benefits of re-organization, particularly as regards the Departments of Economic and Social Affairs and the Technical Assistance Administration, on which the Secretary-General had been requested to report, had not been reflected in the budget estimates for 1953.

The point was also made that responsibility for continuing increases in expenditure did not rest with the Secretary-General alone. On the contrary, such increases as had in fact occurred arose for the most part from decisions taken by United Nations bodies themselves. The Secretary-General had no alternative other than to interpret in his budget estimates the financial implications of such decisions. While the Secretary-General could do much in the future, as he had done in the past, towards achieving the desired budgetary objectives, much more depended, in the last analysis, on the willingness and ability of Member Governments to pursue consistent and co-ordinated policies in the various Councils, commissions and committees of the United Nations on which they were represented. The representative of Norway, in particular, declared that delegations of the same country did not always adopt a uniform attitude in all committees. For example, they would recommend economies in

the Fifth Committee while asking for new appropriations in other organs. The representative of the Netherlands stated that it was right to recognize that the increase in the budget was not due solely to administrative expenses. Member States were partly responsible for that situation as they often asked the Organization to undertake new work without due consideration of the expenses and the work involved.

At the 352nd meeting of the Fifth Committee on 3 November, the representative of the United Kingdom formally proposed (A/C.5/L.184) that the Committee should request the Secretary-General to submit to it, before the second reading of the budget, suggestions for reducing the gross total of appropriations requested for 1953 (including all supplementary items to be presented) to \$48,700,000. He considered that a reduction of \$735,000 would be reasonable. He suggested that the Fifth Committee should neither apply arbitrary reductions in particular sections of the budget, nor fix an arbitrary maximum ceiling for expenditure, but should request the Secretary-General to make the necessary savings by making over-all administrative cuts "across the board" and himself inform the Committee how such savings could be distributed.

A wide measure of support for the United Kingdom proposal was expressed. Some representatives, however, in particular those of Belgium, India and New Zealand, were concerned at the precedent it might establish. They considered that an "across the board" cut might result in the elimination or curtailment of measures which had considerable support among representatives, or precipitate a series of bargainings on the second reading which would be out of keeping with the Committee's responsibilities. The representative of India stressed that the Committee should not look on its task as being merely to reduce appropriations, but should regard itself as having an obligation to ensure that any funds appropriated were used in the most economical and rational way possible. A global and arbitrary reduction might be an excellent method at a national level, he said, but it was an unduly severe and dangerous method at an international level.

At the Committee's 355th meeting on 6 November, the Secretary-General expressed his agreement with the underlying purposes of the United Kingdom proposal and undertook to submit recommendations on the second reading which would give effect to it. The Committee adopted, by 44 votes to none, with 6 abstentions, the proposal of the United Kingdom, amended in accordance with a

suggestion made by the representative of the United States (A/C5/L.184).

At its 371st meeting on 9 December the Fifth Committee referred to the Advisory Committee the proposals made by the Secretary-General (A/C.5/526) pursuant to its previous decision and considered at its 373rd meeting on 13 December both the Secretary-General's report and the thirty-seventh report of the Advisory Committee upon it (A/2306).

The Secretary-General's report enumerated two groups of items totalling \$303,150, which had appeared in his provisional forecast of Members' assessments but which had been since eliminated by the Fifth Committee and which left a balance of \$431,850 if the target reduction of \$735,000 were to be achieved. The report also indicated how the Secretary-General proposed to achieve reductions in this amount without impairing any of the substantive programmes of the United Nations. He requested some flexibility in effecting the reductions and proposed that the total sum of \$431,850 be deducted from the budget under a new section 33, "global reductions to be achieved on various sections of the budget". He asked for authority to administer as a unit the total credit for travel on official business, for which an over-all reduction of \$25,000 had been proposed.

In its report, the Advisory Committee recommended that the total 1953 appropriation should be reduced by the sum of \$431,850 proposed by the Secretary-General and concurred in the procedure suggested to secure that reduction.

During the examination of the Secretary-General's proposals, the representative of New Zealand orally proposed that an additional \$8,000 be provided in order to permit two interne training programmes in 1953 instead of one as suggested by the Secretary-General. This proposal was adopted by 17 votes to 3, with 15 abstentions.

In the light of the above considerations, the Committee, at its 373rd meeting agreed, by 33 votes to none, to adopt the following proposals:

(a) that provision be made under a new Section 33 for a global reduction in the 1953 appropriations of \$423,850;

(b) that a sub-paragraph be added to the draft appropriation resolution authorizing the Secretary-General to apply this global reduction under Section 33 to the various sections of the budget;

(c) that a further sub-paragraph be added to the appropriation resolution authorizing the Secretary-General "to administer as a unit the appropriation provided in the various sections in Part III of the budget for travel on official business".

The representative of the USSR supported the reduction, but said he was categorically opposed

to a budget ceiling for 1953 of \$48,700,000. He stated that the United Nations budget had practically doubled between 1946 and 1953. There should be an over-all reduction so that the 1953 budget should be at a net total of \$35,000,000.

At its 374th meeting on 16 December, the Fifth Committee undertook a second reading of the budget estimates on the basis of a budget summary (A/C.5/538) prepared by the Secretary-General, and approved the different sections of the budget by varying votes (see A/2352). A draft resolution (A/C5/L.226) providing for a total budget for 1953 of \$48,327,700 gross, was then approved by 37 votes to 6, with no abstentions.

The draft resolution proposed in the Fifth Committee's report (A/2352) was adopted by the General Assembly at its 410th plenary meeting on 21 December by 50 votes to 5.

The representatives of Czechoslovakia and the USSR declared that they had voted against the budget estimates because those estimates amounted to nearly \$4,000,000 more than the total expenditure in 1951. They considered that this constant increase in the United Nations budget was undesirable and dangerous and testified to poor budgetary policy on the part of the Secretariat. They had also voted against the 1953 budget appropriations because, in their view, they included large appropriations for the activities of a number of "illegally created organs", such as the United Nations Commission for the Unification and Rehabilitation of Korea, and the United Nations Field Service. They opposed the appropriation of funds for the support of the Office of the United Nations High Commissioner for Refugees, since that body's activities, they argued, impeded the repatriation of refugees and were aimed at binding them to countries to which they were sent under duress. The USSR representative also stated that the budget estimates provided for large appropriations for staff costs due to the system of double taxation which continued to be imposed on a certain section of the staff, in particular United States citizens. As a result of not exempting United States citizens who were members of the Secretariat from the federal income tax, Members of the United Nations were forced to pay over \$1,500,000 to the United States Treasury for 1952 alone.

The representative of Mexico stated that he had voted in favour of the budget estimates for 1953, in view of the various economies and cuts made in the original estimates by the Fifth Committee with the valuable assistance of the Advisory Committee. However, this affirmative vote, he said, should also be interpreted in the light of the

remarks and reservations made by his delegation during the debate in the Fifth Committee, in which, *inter alia*, concern was expressed regarding the continuing upward trend of the expenses of the United Nations and the specialized agencies.

The resolution adopted (674(VII)) read:

The General Assembly

Resolves that for the financial year 1953:

1. Appropriations totalling \$US 48,327,700 are hereby voted for the following purposes:

{See table on pp. 116-117.}

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 1953 is estimated at \$US 6,238,200;

3. The Secretary-General is authorized:

(i) To administer as a unit the following appropriations:

- (a) Provisions under section 3a, section 20, chapter III, and section 25, chapter VI;
- (b) Provisions under section 13, section 20, chapter U, section 21, and in respect of section 26 for items relating to public information;
- (c) Provisions under the various sections in part III for travel on official business;

(ii) To apply the reduction under section 33 to various sections of the budget;

(iii) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget;

4. The Secretary-General is further authorized to enter into such arrangements with the competent authorities of the Republic and Canton of Geneva in connexion with the exchange of the property called Le Chêne owned by the United Nations for the property called Le Bocage owned by the Republic and Canton of Geneva as he may see fit under the provisions set forth in document A/C.5/510;

5. 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 object and provisions of the endowment.

4. Unforeseen and Extraordinary Expenses for the Financial Year 1953

While considering the budget estimates for the United Nations for 1953, the Fifth Committee at its 374th meeting on 16 December voted upon a draft resolution (A/C.5/L.224) relating to unforeseen and extraordinary expenses and approved it by 33 votes to 5, with 1 abstention. The USSR

representative declared that he had voted against the draft because it provided for the purchase of medals and ribbons for the Korean campaign. He stated that General Assembly resolution 483(V) establishing the decoration was illegal because it approved a war of aggression against the Korean people.

The draft resolution adopted by the Fifth Committee (A/2352) was adopted by the General Assembly without discussion at its 410th plenary meeting on 21 December 1952, by 53 votes to 5, with 1 abstention, as resolution 675 (VII). It read:

"The General Assembly

"Resolves that, for the financial year 1953,

"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 2,000,000 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 \$25,000 as are occasioned by the holding of an inter-governmental commodity conference;

"(c) 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;

"(d) Such commitments, not exceeding a total of \$50,000 as are required for the Commission on the question of race conflict in South Africa resulting from the policies of apartheid of the Government of South Africa;

"(e) Such commitments, not exceeding a total of \$129,000 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

(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 circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments."

BUDGET APPROPRIATIONS FOR THE FINANCIAL YEAR 1953

{See resolution 674(VII) on p. 115.}

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	\$	603,400
2. The Security Council, Commissions and Committees.
3. The Economic and Social Council, Commissions and Committees	\$	263,200
(a) Permanent Central Opium Board and Narcotic Drugs Supervisory Body		20,000
(b) Regional Economic Commissions		<u>96,000</u>
4. The Trusteeship Council, Commissions and Committees		<u>59,900</u>
TOTAL, PART I	\$	1,042,500

PART II. INVESTIGATIONS AND INQUIRIES

5. Investigations and inquiries	2,140,700	
(a) United Nations Field Service	<u>546,200</u>	
TOTAL, PART II		2,686,900

PART III. HEADQUARTERS, NEW YORK

6. Executive Office of the Secretary-General	458,600	
(a) Library	<u>475,000</u>	933,600
7. Department of Political and Security Council Affairs.		769,200
8. Military Staff Committee secretariat		137,000
9. Technical Assistance Administration		386,700
10. Department of Economic Affairs		2,304,000
11. Department of Social Affairs		1,749,500
12. Department of Trusteeship and Information from Non-Self-Governing Territories		950,000
13. Department of Public Information		2,755,000
14. Department of Legal Affairs		459,400
15. Conference and General Services		9,721,600
16. Administrative and Financial Services		1,604,900
17. Common staff costs		4,521,000
18. Common services		3,831,600
19. Permanent equipment		247,550
(a) Improvements to premises . . . . .		.....
TOTAL, PART III		30,371,050

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)	4,423,300	
Chapter III, joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body	<u>47,100</u>	
(a) Office of the United Nations High Commissioner for Refugees	650,000	<u>5,120,400</u>
TOTAL, PART IV		5,120,400

PART V. INFORMATION CENTRES		
Section	Dollars (US)	
21. Information centres (other than information services, United Nations Office at Geneva)	<u>\$ 862,300</u>	
TOTAL, PART V		\$ 862,300
PART VI. REGIONAL ECONOMIC COMMISSIONS (other than the Economic Commission for Europe)		
22. Economic Commission for Asia and the Far East	1,030,000	
23. Economic Commission for Latin America	<u>866,000</u>	
TOTAL, PART VI		1,896,000
PART VII. HOSPITALITY		
24. Hospitality	<u>20,000</u>	
TOTAL, PART VII		20,000
PART VIII. CONTRACTUAL PRINTING		
25. Official Records (excluding chapter VI, Permanent Central Opium Board and Narcotic Drugs Supervisory Body)	\$ 752,220	
Chapter VI, Permanent Central Opium Board and Narcotic Drugs Supervisory Body	<u>11,780</u>	764,000
26. Publications		<u>815,200</u>
TOTAL, PART VIII		1,579,200
PART IX. TECHNICAL PROGRAMMES		
27. Social activities	768,500	
28. Economic development	479,400	
29. Public administration	<u>145,000</u>	
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	
(a) Headquarters construction costs	1,000,000	<u>2,500,000</u>
TOTAL, PART X		3,149,500
B. THE INTERNATIONAL COURT OF JUSTICE		
PART XI. THE INTERNATIONAL COURT OF JUSTICE		
32. The International Court of Justice	<u>630,800</u>	
TOTAL, PART XI		630,800
C. SUPPLEMENTARY PROVISIONS		
PART XII. SUPPLEMENTARY PROVISIONS		
33. Global reduction to be achieved on various sections of the budget	<u>—(423,850)</u>	—(423,850)
GRAND TOTAL		<u>\$48,327,700</u>

5. Working Capital Fund for the Financial Year 1953

The Secretary-General, in a proposal (A/C.5/515) to the seventh session of the General Assembly, suggested that the Assembly retain in the Working Capital Fund the balance of surplus account as at 31 December 1950 (\$1,239,203) which had been temporarily transferred to the Fund at the Assembly's sixth session, as well as the balance of surplus account as at 31 December 1951 (\$380,511). This proposal was submitted to the Advisory Committee which in its 21st report (A/2275) expressed the opinion that the level of the Working Capital Fund was somewhat too low for the needs of the Organization and concurred in the proposal of the Secretary-General.

The reports of the Secretary-General and the Advisory Committee on this question were considered by the Fifth Committee at its 367th meeting on 1 December 1952. While some representatives, in particular those of Czechoslovakia, Mexico and the USSR, were opposed to any increase in the Fund above \$20,000,000, the majority agreed with the recommendation of the Advisory Committee to retain in the Fund the balance of surplus account at 31 December 1950 (\$1,239,203). This proposal was approved by 40 votes to 8, with 2 abstentions. The Fifth Committee, however, by 17 votes to 11, with 21 abstentions, approved a French oral proposal to defer until the second reading of the budget a decision on the proposal regarding the transfer of the balance of surplus account at 31 December 1951 (\$380,511).

At the Committee's 373rd meeting on 13 December, the representative of France orally proposed that the amount of the Working Capital Fund be fixed for 1953 at \$21,500,000, by transferring to the Fund a part only—namely, \$260,797—of the balance of surplus account at 31 December 1951, and leaving the remainder—\$119,714—to be offset against the contributions of Members for 1953. The representative of the Secretary-General said that he would raise no objection to the proposal, which was then approved by 28 votes to 6, with 2 abstentions.

At its 376th meeting, the Fifth Committee also considered an Australian proposal (A/C.5/L.203) that the amount of \$1,000,000 be included in the budget on its first reading (as had been proposed by the Secretary-General) but that a working group of the Fifth Committee be appointed to discuss with Member Governments the extent to which firm undertakings could be given that all or a substantial part of their contributions could be paid in the first half of 1953. If the working

group's discussions showed that contributions likely to be received in the early part of 1953 would make possible the temporary financing of all Headquarters construction costs out of the Working Capital Fund, the item of \$1,000,000 might be eliminated. The Australian proposal was approved by 36 votes to 5, with 6 abstentions. The Chairman then appointed a working group consisting of the representative of Denmark, as Chairman, and the representatives of Australia, Egypt, Mexico, Norway, Pakistan and Poland.

The working group met three times and in the course of its meetings held discussions with representatives of Members, taking as a basis the replies submitted in response to the inquiries instituted by the Secretary-General as a result of the adoption of General Assembly resolution 585 (VI). That resolution had invited Members to examine methods whereby, within the limits of their constitutional processes, a substantial proportion of their contributions would be paid within the first quarter of each year. The responses of Members to this invitation were summarized in a report of the Secretary-General (A/C.5/516).

In its report (A/C.5/539) the working group indicated that, on the basis of replies submitted by Governments in response to Assembly resolution 585(VI) and the statements made to it, the Secretary-General estimated that approximately 27.79 per cent of the total 1953 contributions might be expected during the first six months of that year as compared with 19.13 per cent of the 1952 contributions actually collected during the first six months of 1952.

The Fifth Committee considered the working group's report at its 374th meeting on 16 December. The representative of the Secretary-General expressed the view that it would not be safe either to reduce the size of the Working Capital Fund or to eliminate any part of the appropriation of the section of the budget regarding the financing of Headquarters construction costs. A tentative estimate of expenses likely to arise in the first half of 1953 indicated that, if contributions in the first half of 1953 were received in accordance with the undertakings given to the working group, the balance in the Working Capital Fund as at 30 June 1953 would not be greatly in excess of \$3,000,000. He thought that such a margin was insufficient to justify the Secretary-General's agreeing to any proposal which might have the effect of decreasing the cash resources available; the position might, however, be reviewed at the Assembly's eighth session in the light of the actual record of contributions in 1953.

The Fifth Committee decided, by 32 votes to 5, with 2 abstentions, to retain the full amount of \$1,000,000 in the relevant section of the budget.

A draft resolution (A/C.5/L.227) relating to the Working Capital Fund was put to the vote at the Committee's 374th meeting and approved by 35 votes to 5, with 1 abstention.

The draft resolution adopted by the Fifth Committee (A/2352) was adopted by the General Assembly at its 410th plenary meeting on 21 December 1952, by 51 votes to 6, with 1 abstention.

The representatives of Czechoslovakia and the USSR stated that they had voted against the draft because they considered that any increase in the Working Capital Fund was contrary to the principles of sound budgetary policy. The representative of Mexico declared that he had voted against the draft because an increase in the Fund beyond the original amount of \$20,000,000 was contrary to the interests of those countries which, like Mexico, punctually fulfilled their financial obligations towards the United Nations.

The text of the resolution adopted 676(VII) read:

"The General Assembly

"Resolves that:

"1. The Working Capital Fund is established for the financial year 1953 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 \$1,239,203, by previous transfer of the balance of surplus account as at 31 December 1950, not already applied against Members' assessments for 1951 in accordance with General Assembly resolution 585 A (VI) of 21 December 1951;

"(c) As to \$260,797 by transfer of part of the balance of surplus account as at 31 December 1951 not already applied against Members' assessments for 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 eighth 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 1952, under General Assembly resolution 585 A (VI), paragraph 2; provided that, should the advance paid by any Member to the Working Capital Fund for the financial year 1952 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 that Member in respect of the eighth 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 \$250,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$250,000 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 1953 repayment of the outstanding balance of the loans made to the Interim Commission;

"(e) such sums as, together with the sums previously advanced and outstanding for the same purpose, do not exceed \$420,000 to continue the Staff Housing Fund in order to finance rental payments, guarantee deposits and working capital requirements for housing the staff of the Secretariat. Such advances shall be reimbursed to the Working Capital Fund following the recovery of rental advances, guarantee deposits and working capital advances;

"(f) Such sums not exceeding \$90,000 as may be required to finance payments of advance insurance premiums and deposits 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;

"(g) Such sums not exceeding \$1,000,000 as may be necessary to complete the Headquarters of the United Nations."

6. Scale of Assessments for Apportionment of Expenses of the United Nations

The scale of assessments for the apportionment of the expenses of the United Nations for the financial year 1953 was considered at the seventh session of the General Assembly by the Fifth Committee, at its 360th to 364th meetings from 11 to 14 November 1952, and at the 401st plenary meeting of the Assembly on 5 December. The discussion in the Fifth Committee was based on a report of the Committee on Contributions (A/2161).

In its report the Committee on Contributions recommended changes in the rates of contribution of 37 countries. It recommended that the rates of contributions of the following countries be increased: Belgium, the Byelorussian SSR, Cuba, Greece, Mexico, the Philippines, Poland, the Ukrainian SSR, the USSR, Venezuela and Yugoslavia, the largest increase recommended being that of the USSR (2.43 per cent). It recommended that the rates of contributions of the following countries be decreased: Argentina, Australia, Brazil, Burma, Canada, Chile, China, Colombia, Denmark, Ecuador, Egypt, India, Iran, Iraq, Lebanon, the Netherlands, New Zealand, Peru, Saudi Arabia, Sweden, Syria, Thailand, Turkey, the Union of South Africa, the United Kingdom and the United States, the largest decrease recommended being that of the United States (1.78 per cent).

The Committee, as in previous years, made recommendations regarding the rate at which Switzerland and the Principality of Liechtenstein (non-members of the United Nations but parties to the Statute of the International Court of Justice) should contribute towards the expenses of the Court. It also established rates at which non-members of the United Nations which were signatories of international instruments relating to the control of narcotic drugs might be called upon to contribute towards the expenses arising out of the obligations placed on the United Nations by such instruments.

In the Fifth Committee, the United States representative urged that the 33 1/3 per cent ceiling on the assessment of the largest contributor, which had been adopted in principle by General Assembly resolution 238 A (III) of 18 November 1948, should be fully and finally implemented in the scale to be applied for 1953. Since 1946, he said, the United States had consistently taken the position that no international organization of 60 sovereign equals should be dependent upon any one State for a predominant share of its financial support. The Committee on Contributions had

annually, for the last four years, taken some steps toward the implementation of the one-third ceiling principle and had recommended an assessment for the United States in 1953 of 35.12 per cent. The additional reduction that would be necessary to reach the agreed objective was a relatively small one and it was therefore as a matter of principle, and not for financial reasons, that he felt obliged to request the immediate implementation of the one-third ceiling. That the United States position was one of principle rather than of finance was shown by the generous extent to which it had voluntarily contributed to the large operating programmes financed by the United Nations and the specialized agencies from extra-budgetary funds, he observed. The United States representative, along with the representatives of Canada and the United Kingdom, also considered it imperative that there should be an increase in the contribution of those States, in particular the USSR, which had experienced, and whose spokesmen had in many instances frankly acknowledged, very substantial economic improvement since the end of the war and which had for a long time been under-assessed.

Many representatives, including, among others, those of Cuba, Denmark, Egypt, Iraq, Mexico, New Zealand, Pakistan and the Union of South Africa, felt, on the other hand, that the policy of limiting the contribution of any one Member State to one-third of the Organization's regular budget, was one which should be applied progressively as the world economic situation became more normal and as new Members were admitted. The view was also expressed by the representative of Belgium, in particular, that eventually, and especially in the event of the admission of new Members, consideration should be given to the possibility of fixing a ceiling of less than 33 1/3 per cent as the maximum proportionate assessment that would be paid by any one Member. Although in favour of giving early effect to the one-third ceiling principle, other representatives including, among others, those of China, France, Norway and the United Kingdom, stated that they would be unable to support its full implementation in 1953. The representative of Canada, recalling that his delegation had from the beginning recognized the validity of the United States request for a ceiling of 33 1/3 per cent on its assessment, proposed that the Committee on Contributions should be instructed to give full effect to that request in drawing up a recommended scale of assessments for 1954.

The representative of Norway noted that his country's contribution had not been increased, but

he would be prepared to accept an increase of about 2 per cent, to convince the United States representative of his desire to co-operate with other countries. So small a sum might not solve all the difficulties, but if all representatives approached the problem in the same spirit the world would have taken a big step along the path of international peace. The representative of the United Kingdom likewise stated that his Government was willing to bear its fair share of any changes in assessments which might result from progress towards a permanent scale of contributions.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR expressed the view that a reduction in the United States assessment was not justified, since its national income had increased; it had suffered no physical damage in the Second World War which had, in fact, greatly strengthened rather than weakened its economic and financial resources; nor was it faced, as were most other Members, with the difficult problem of obtaining dollar exchange with which to pay its contributions. They contended, further, that the United States benefited very greatly from the location of the United Nations Headquarters in New York and from the reimbursement by the United Nations of income taxes paid by United States nationals on the Secretariat. If allowance were made for the fact that approximately \$7,000,000 had already been paid out of the United Nations budget on account of income tax reimbursement (over \$1,600,000 being paid out in taxes in 1952 alone), the proportionate share of the assessed expenses of the Organization actually borne by the United States Treasury was already substantially less than 33 1/3 per cent.

Discussion of the one-third ceiling principle and the problem of its early implementation served to focus attention also on the related problem of giving effect to the further principle that no country's per capita contribution should be higher than that of the largest contributor's. Concern was expressed lest too rapid an application of both ceiling principles simultaneously should result in a shifting of the burden from countries with high to countries with relatively lower per capita incomes.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR maintained that the Committee on Contributions had not made sufficient allowance for certain criteria mentioned in its terms of reference; namely the "temporary dislocation of national economies arising out of the Second World War" and "the ability of Members to secure foreign

exchange". The representative of the USSR, in particular, was of the opinion that there was no justification for further increases of approximately 25 per cent in the 1953 contributions of the USSR, the Byelorussian SSR, the Ukrainian SSR and Poland, following successive increases in 1950 and 1951 of approximately 10 per cent and 40 per cent respectively. These countries, moreover, had suffered more severely than others from the ravages of the Second World War, he stated, with the result that considerable funds had still to be spent on repairing war damage, on pensions to widows and orphans, and on the rebuilding of the entire economies of these countries. Furthermore, the difficulty of securing foreign exchange was greater than ever, having been aggravated by the discriminatory trade policies followed by the United States towards the USSR and the peoples' democracies, he said. He also considered that the proposed increases were not in accordance with the Committee's own working rule adopted in 1950 to the effect that no change of more than 10 per cent should be made in any one year in the percentage assessment of any country. The representatives of the Byelorussian SSR, the Ukrainian SSR, Poland and Czechoslovakia associated themselves with the views expressed by the USSR representative.

Certain representatives, notably those of Cuba and Mexico, expressed the view that the Committee on Contributions in recommending an increase in their assessments could not have taken all economic factors and other elements affecting capacity to pay fully into account. They contended that the years 1950 and 1951, which the Committee had used as a basis for its work, were not normal years and in many cases did not represent a satisfactory basis on which to establish rates of contribution for 1953. Thus, they argued that, in the case of agricultural countries or countries largely dependent on the export of raw materials whose prices are subject to wide fluctuations from year to year, a temporary improvement in their economic position during 1950 and 1951 could not in itself be held to justify an increased rate of assessment for 1953.

While the decision of the Committee on Contributions to base its estimates of national income on the average of a two-year period was generally welcomed, it was nevertheless suggested that in the future such estimates might well be based on a longer period. The Fifth Committee was informed, however, that the Committee on Contributions in arriving at its recommendations had taken into account factors such as the trend of export prices and balance-of-payment positions,

and had proceeded with special caution in recommending changes for countries which were mainly raw material producers, in recognition of the fact that their economies might be subject to heavier and more frequent fluctuations than those of industrialized countries.

The representative of the Philippines acknowledged that his country had experienced a measure of economic recovery but maintained that the large increase recommended in its assessment for 1953 was not justified by the actual situation. The Philippines economy was relatively underdeveloped, had suffered heavy war damage and was feeling the general dollar shortage as acutely as that of most other Members, he said. He stated that he would vote against the recommendations of the Committee on Contributions and expressed the hope that if they were adopted the Committee in reviewing the scale in 1953 would allow for his country's true economic position by reducing its assessment.

The representative of Pakistan, referring to the economic position of his country in 1952 in comparison with 1950 and 1951, stated that Pakistan had been seriously affected by the decline in the demand for raw materials and in prices and was experiencing great difficulty in obtaining foreign currency. There were also other special circumstances, such as the problem of refugees, which should be taken into account. He expressed concern at the constant increase in the assessment for Pakistan and hoped that the Committee on Contributions would be able to re-examine the situation with a view to reducing the assessment to the pre-1952 level.

The representative of Iran stated that, in view of his country's very low per capita income and of the exceptional circumstances currently prevailing, his Government was compelled to ask for a reduction in its contribution. He hoped that his request would receive the fullest consideration.

In connexion with the dollar shortage referred to by several representatives, it was strongly urged that the Secretary-General should again be authorized to accept for 1953 as large a proportion of contributions as possible in currencies other than United States dollars.

The Fifth Committee had before it three draft resolutions: one submitted by the United States (A/C.5/L.192), another submitted by the USSR (A/C.5/L.193) and the third embodying the recommendations of the Committee on Contributions (A/C.5/L.194). Canada alone and Canada and Egypt jointly submitted oral amendments to the United States draft, and Poland submitted an oral amendment to the draft embodying the

recommendations of the Committee on Contributions. Voting on the proposals took place at the Fifth Committee's 364th meeting on 14 November.

The Chairman announced that in view of the many amendments to the United States draft and in deference to the USSR representative's request the USSR proposal would be put to the vote first. This proposed that the Committee on Contributions should be instructed to review the scale of assessments for 1953 and to report thereon to the General Assembly at the current session with a view to establishing the percentage contribution of the USSR, the Ukrainian SSR, the Byelorussian SSR and Poland for 1953 at the 1950 level. The Fifth Committee rejected the USSR proposal by 37 votes to 5, with 6 abstentions.

The United States draft, after being modified by its mover, proposed that from 1 January 1953 the assessment of the largest contributor should not exceed one-third of the total assessments of Members, and that the Committee on Contributions should be requested to make such consequential adjustments as might be necessary in the scale of assessments recommended by the Committee for 1953.

The Canadian amendment would change the date of the application of the one-third ceiling from 1 January 1953 to 1 January 1954. This amendment was adopted by 19 votes to 10, with 19 abstentions. In the light of this particular action, the last part of the United States proposal regarding consequential adjustments in the scale to be applied in 1953 did not apply.

The joint Canadian and Egyptian amendment proposed the addition of two paragraphs to the United States draft, the first paragraph dealing with recognition to be given by the Committee on Contributions to countries with low per capita income, and the second dealing with the deferment of further action on the per capita ceiling.

The Fifth Committee adopted the first paragraph of the joint amendment by 40 votes to none, with 9 abstentions, and the second paragraph by 44 votes to 1, with 4 abstentions. The United States proposal as a whole, in its amended form, was adopted by 33 votes to 6, with 9 abstentions.

The Polish amendment to the draft resolution embodying the recommendations of the Committee on Contributions provided that in the review of the scale for 1954 the Committee on Contributions should make no increase or decrease in any assessment by a percentage exceeding 10 per cent. It was rejected by 20 votes to 9, with 16 abstentions.

The draft resolution embodying the recommendations of the Committee on Contributions was then voted upon, first, in parts, and then, as a whole. The various paragraphs were adopted by votes ranging from 36 to 7, with 2 abstentions, to adoption by unanimity. The draft resolution as a whole was adopted by 38 votes to 7, with 3 abstentions. The Fifth Committee then decided to consolidate the two draft resolutions.

The report of the Fifth Committee (A/2286) embodying the consolidated draft resolution was considered by the General Assembly at its 401st plenary meeting on 5 December. In addition to the draft resolution recommended by the Fifth Committee, the Assembly had before it a draft resolution submitted by the USSR (A/L.122) which was similar to the one rejected in the Fifth Committee.

The draft resolution presented by the Fifth Committee was adopted by 44 votes to 6, with 2 abstentions. The USSR draft resolution was rejected by 43 votes to 5, with 9 abstentions.

The representative of the United States declared that he had abstained in the vote on the draft resolution submitted by the Fifth Committee. The representatives of the Ukrainian SSR and Poland stated that they had voted against the draft submitted by the Fifth Committee and in favour of the draft submitted by the USSR. All three representatives made statements similar to those they had made in the Fifth Committee. The representative of the Philippines drew attention to the stand his delegation had taken in the Fifth Committee and asked that it be made a part of the record.

The text of the resolution adopted (665 (VII)) read:

"The General Assembly,

"Having considered the recommendations of the Committee on Contributions concerning the proposed adjustments in the scale of assessments for the financial year 1953,

"1. Notes with satisfaction the action taken by the Committee on Contributions to implement the recommendations of General Assembly resolution 582 (VI) of 21 December 1951 by giving additional recognition to countries with low per capita income, and urges the Committee to continue to do so in the future;

"2. Instructs the Committee on Contributions to defer further action on the per capita ceiling until new Members are admitted or substantial improvement in the economic capacity of existing Members permits the adjustments to be gradually absorbed in the scale;

"3. Decides that from 1 January 1954 the assessment of the largest contributor shall not exceed one-third of total assessments against Members;

"4. Resolves:

"(a) That the scale of assessments for the 1953 budget shall be as follows:

Member State	Per cent
Afghanistan	0.08
Argentina	1.45
Australia	1.75
Belgium	1.37
Bolivia	0.06
Brazil	1.45
Burma	0.13
Byelorussian Soviet Socialist Republic	0.43
Canada	3.30
Chile	0.33
China	5.62
Colombia	0.35
Costa Rica	0.04
Cuba	0.34
Czechoslovakia	1.05
Denmark	0.78
Dominican Republic	0.05
Ecuador	0.04
Egypt	0.50
El Salvador	0.05
Ethiopia	0.10
France	5.75
Greece	0.19
Guatemala	0.06
Haiti	0.04
Honduras	0.04
Iceland	0.04
India	3.45
Indonesia	0.60
Iran	0.33
Iraq	0.12
Israel	0.17
Lebanon	0.05
Liberia	0.04
Luxembourg	0.05
Mexico	0.70
Netherlands	1.25
New Zealand	0.48
Nicaragua	0.04
Norway	0.50
Pakistan	0.79
Panama	0.05
Paraguay	0.04
Peru	0.18
Philippines	0.39
Poland	1.58
Saudi Arabia	0.07
Sweden	1.65
Syria	0.08
Thailand	0.18
Turkey	0.65
Ukrainian Soviet Socialist Republic	1.63
Union of South Africa	0.83
Union of Soviet Socialist Republics	12.28
United Kingdom of Great Britain and Northern Ireland	10.30
United States of America	35.12
Uruguay	0.18
Venezuela	0.35
Yemen	0.04
Yugoslavia	0.44
TOTAL	100.00

"(b) That, notwithstanding the provisions of rule 159 of the rules of procedure of the General Assembly, the scale of assessments for the apportionment of the expenses of the United Nations shall be reviewed by the

Committee on Contributions in 1953 and a report submitted for the consideration of the General Assembly at its next regular session;

"(c) 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 1953 in currencies other than United States dollars;

"(d) 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 1953, 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;

"(e) That non-member States which are signatories of international instruments relating to narcotic drugs shall be called upon to make contributions towards the annual expenses, commencing with the year 1952, resulting from obligations placed on the United Nations by those instruments, in accordance with the following rates:

Country	Per cent
Albania	0.04
Austria	0.31
Bulgaria	0.19
Cambodia	0.04
Ceylon	0.13
Finland	0.42
Federal Republic of Germany	4.22
Hashemite Kingdom of Jordan	0.04
Hungary	0.48
Ireland	0.34
Italy	2.20
Japan	1.90
"Laos	0.04
Liechtenstein	0.04
Monaco	0.04
Portugal	0.30
Romania	0.50
San Marino	0.04
Switzerland	1.26
Vietnam	0.17

7. Payment of Honoraria to Rapporteurs of United Nations Bodies

One of the questions dealt with by the Fifth Committee at the seventh session of the General Assembly resulted from a decision taken by the Economic and Social Council at its fourteenth session. In resolution 442 C (XIV), adopted on 13 June 1952, the Council decided to appoint for an experimental period of one year and in a personal capacity, a rapporteur on matters relating to freedom of information. The cost of implementing this decision was estimated by the Secretary-General at \$8,800, including a sum of \$2,500 to cover the payment of an honorarium

to the rapporteur (A/C.5/498, paragraph 9). The Advisory Committee in its eighth report to the Assembly's seventh session (A/2245) recalled that only in exceptional cases had the General Assembly concurred in the payment of honoraria for work performed on behalf of the United Nations. It stated its preference, in the present case, for a provision on a per diem basis within a maximum of \$2,000, thus recommending a reduction of \$500 in the Secretary-General's estimate of \$8,800.

The Fifth Committee considered the question at its 356th meeting on 7 November. There was general recognition that the important question was not the sum involved but whether any subsidiary organ of the General Assembly should have the right to appoint a rapporteur on the understanding that an honorarium would be paid. The Committee approved an oral proposal of the United States to restore the estimate to its original level of \$8,800 in the specific instance before it. At the same time, however, it referred to the Advisory Committee a draft resolution proposed by the United States (A/C.5/L.187) which would instruct all organs of the United Nations to obtain prior General Assembly approval before taking decisions which would involve commitments to pay honoraria.

In its sixteenth report (A/2264) to the Assembly dealing with the United States proposal, the Advisory Committee submitted an alternative text which would suggest that the General Assembly should express its recognition of the fact that the appointment of a person as rapporteur of a United Nations body confers honour upon his country and distinction upon himself, and that no such appointment should carry remuneration. The Advisory Committee stated that while it associated itself with the purposes contemplated in the United States draft resolution, the alternative text proposed by the Advisory Committee was designed to lay emphasis on those purposes by affirming the principle that the office of rapporteur in the United Nations, being an office of honour, not profit, carried no emoluments.

This report was considered by the Fifth Committee at its 366th meeting on 21 November. The representative of the United States withdrew his draft resolution (A/C.5/L.187) and accepted the one put forward by the Advisory Committee. Most of the representatives taking part in the discussion endorsed the principle underlying the text proposed by the Advisory Committee but some, in particular the representatives of Brazil and the Netherlands, without dissenting from the view that no commitment could be entered into

except with the prior consent of the General Assembly, considered that cases should be judged on their merits and that the text proposed was too rigid. The Fifth Committee agreed that remuneration should not be understood as meaning subsistence allowances for the payment of which there existed valid reasons. It approved the draft resolution proposed by the Advisory Committee by 46 votes to none, with 2 abstentions.

The draft resolution adopted by the Fifth Committee (A/2352) was adopted unanimously and without discussion by the General Assembly at its 410th plenary meeting on 21 December 1952, as resolution 677 (VII). It read:

"The General Assembly,

"Recognizing that the appointment of a person as rapporteur of a United Nations body confers honour upon his country and distinction upon himself,

"1. Considers that no such appointment should carry remuneration;

"2. Requests all organs of the United Nations to bear in mind in future the views of the General Assembly as expressed in the present resolution."

8. Appointment of a Negotiating Committee for Extra-Budgetary Funds

The General Assembly on 7 December 1951 adopted resolution 571 B (VI)¹⁰⁸ establishing a Negotiating Committee for Extra-Budgetary Funds. In accordance with this resolution, the President of the sixth session of the Assembly appointed the following seven States as members of the Committee: Canada, France, Lebanon, Pakistan, the United Kingdom, the United States and Uruguay. Subsequently, the President appointed Colombia to replace Uruguay, the latter having found it necessary to withdraw from the Committee.

The Negotiating Committee was requested to obtain pledges of voluntary contributions from governments for such programmes requiring funds from sources outside the regular budget of the United Nations as were designated by the General Assembly. On 12 January 1952 the General Assembly adopted resolution 519 A (VI),¹⁰⁹ requesting the Negotiating Committee to obtain pledges for the second financial period of the Expanded Programme of technical assistance; on 26 January by resolution 513 (VI)¹¹⁰ the Assembly made a similar request as regards the financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE); and, on 5 February 1952, in resolution 507(VI),¹¹¹ the Assembly also authorized the Committee to obtain pledges for contributions to the programme of the United Nations

Korean Reconstruction Agency (UNKRA). Since it was not possible for the Negotiating Committee to complete its work in the course of the Assembly's sixth session, the Assembly, on 29 January 1952, adopted resolution 607(VI)¹¹² authorizing it to continue its activities for such period as might be required after the close of the session.

In a report (A/2210 and Corr. 1 and Add. 1) to the Assembly's seventh session, the Negotiating Committee stated that it had held 23 meetings up to 1 October 1952, and that altogether it was in touch with 83 governments by means of written communication, group consultations and individual meetings. It had been clearly understood by the Committee that all offers of contributions made or to be made by governments would be subject to the constitutional processes of the countries concerned.

With respect to the Expanded Programme of technical assistance, the Negotiating Committee reported that pledges for the calendar year 1952 from 65 Governments in an amount totalling the equivalent of \$18,824,642 had been made as of 31 August 1952. This amount compared with total pledges equivalent to \$20,070,000 for the first financial period from 55 governments for an eighteen-months period.

As regards UNRWAPRNE, the Negotiating Committee reported that, for the fiscal year 1 July 1951 to 1 July 1952, contributions totalling the equivalent of \$66,305,143 in cash from 25 countries and \$1,084,794 in kind from eleven countries were pledged to the Agency. In the previous year contributions totalling the equivalent of \$38,004,943 in cash from twelve countries and \$738,504 in kind from five countries were received. The estimated cost of the programme for the fiscal year 1952-53 was \$118,000,000, of which \$18,000,000 would be for relief and \$100,000,000 for reintegration. The Negotiating Committee stated that it was engaged in consultations with governments for contributions for the current fiscal year and as of 9 October 1952 a total equivalent approximately to \$78,000,000 had been pledged.

The Committee further reported that, due to the situation in Korea, it had not been possible for UNKRA to assume full operational responsibility in that country and it had therefore not been necessary for the Committee to consult with governments on additional pledges for this programme. However, as of 31 August 1952, pledges

¹⁰⁸ See Y.U.N., 1951, pp. 138-39.

¹⁰⁹ See Y.U.N., 1951, pp. 400-01.

¹¹⁰ See Y.U.N., 1951, pp. 315-16.

¹¹¹ See Y.U.N., 1951, p. 237.

¹¹² See Y.U.N., 1951, p. 139.

of contributions for the work of the Agency had already been made by the governments of 24 Members and of two non-members, totalling \$205,590,306.

In a draft resolution which it submitted to the General Assembly, the Negotiating Committee recommended that its activities should be continued.

The report of the Negotiating Committee was considered by the General Assembly at its 389th plenary meeting on 25 October without prior reference to a Main Committee of the Assembly. The Assembly also had before it an amendment (A/L.110) to the draft resolution submitted by the Negotiating Committee which was presented jointly by Australia, Belgium, Colombia, Iraq, Lebanon, Pakistan, the Philippines and Yugoslavia. This amendment, in effect, would empower the Negotiating Committee to undertake the raising of funds for UNICEF—in addition to raising funds for the Expanded Programme of technical assistance, UNRWAPRNE and UNKRA. The amendment also provided for increasing the membership of the Negotiating Committee from seven to ten.

All of those who participated in the discussion, with the exception of the representative of Norway, supported the proposal before the Assembly. While explaining that his Government was in sympathy with the objectives mentioned in the report of the Negotiating Committee, the representative of Norway said that, on constitutional grounds, he could not vote for the proposal before the Assembly as the Norwegian Constitution did not permit a Norwegian delegation to pledge Norway to contribute anything which had not been approved by the Norwegian Parliament. However, the Norwegian Parliament, he stated, had unanimously voted a larger credit in support of the main ideas of the Negotiating Committee than any negotiating committee could have obtained.

At the end of the discussion, the draft resolution submitted by the Negotiating Committee, as amended, was adopted without objection as resolution 693 (VII). It read:

"The General Assembly,

"Considering the necessity for establishing procedures for obtaining funds to finance special programmes not provided for in the regular budget of the United Nations,

"Noting the report of the Negotiating Committee for Extra-Budgetary Funds appointed at the sixth session of the General Assembly,

"Noting that the Executive Board of the United Nations International Children's Emergency Fund, at its session in October 1952, expressed the opinion:

"(a) That responsibility for raising funds for that organization, which in the past has been undertaken by the Executive Director of the United Nations International Children's Emergency Fund, should in future be shared by governments and the Executive Director;

"(b) That governmental responsibility in this field might best be undertaken through the good offices of a negotiating committee for extra-budgetary funds appointed by the General Assembly,

"Concluding that a Negotiating Committee for Extra-Budgetary Funds should again be established to assist in obtaining funds for the Expanded Programme of Technical Assistance, the programme of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the programme of the United Nations Korean Reconstruction Agency, the programme of the United Nations International Children's Emergency Fund and such other special programmes not provided for in the regular budget of the United Nations as may be designated by the General Assembly,

"1. Requests the President of the General Assembly to appoint a Negotiating Committee for Extra-Budgetary Funds composed of not more than ten members for the purpose of consulting as soon as possible with Member and non-member States as to the amounts which governments may be willing to contribute on a voluntary basis towards the Expanded Programme of Technical Assistance, the programme of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the programme of the United Nations Korean Reconstruction Agency, the programme of the United Nations International Children's Emergency Fund and such other programmes as may be approved by the General Assembly for which funds are not available through the regular budget of the United Nations, and for which the Negotiating Committee is specifically requested by the General Assembly to obtain pledges of voluntary contributions from governments;

"2. Authorizes the Negotiating Committee to adopt the procedures best suited to the accomplishment of its task, bearing in mind:

"(a) The necessity of maintaining the identity and integrity of each programme;

"(b) The necessity of obtaining pledges and payments of contributions to each programme as soon as possible;

"(c) The need for securing the widest possible and most equitable participation in the programmes;

"(d) The desirability of ensuring that any contribution in kind is of a nature which meets the requirements of the contemplated programmes;

"(e) The degree of assistance which can continue to be rendered by specialized agencies, non-member States and other contributors;

"3. Decides that, as soon as the Negotiating Committee has ascertained the extent to which States are willing to make contributions, the Secretary-General shall, if the Committee so requests, arrange an appropriate meeting or meetings of Member and non-member States at which the pledges of Members and non-members may be made known;

"4. Requests the Negotiating Committee to report to the General Assembly at its eighth session, and requests the Secretary-General to place the report on the provisional agenda of that session."

G. HEADQUARTERS OF THE UNITED NATIONS

1. Report of the Secretary-General

In accordance with General Assembly resolution 589(VI)¹¹³ adopted on 2 February 1952, the Secretary-General, in October 1952, submitted to the seventh session of the Assembly a report (A/2209) on the progress of construction of the Headquarters.

The Secretary-General reported that early in January 1951 the Headquarters was officially established on the permanent site. Satisfactory progress was made in 1952, during which virtually all construction had been completed. While much remained to be added in the form of embellishment by landscaping, furnishings and artistic material of a decorative nature, the Secretary-General stated, the Headquarters was established and occupied and it was functioning according to the plan adopted by the General Assembly in 1947.

During 1952, the second year of occupancy of the Secretariat building, the two floors which had previously been held in an unfinished state for future expansion requirements were completed and occupied. Certain adjustments were required and were made in some of the mechanical features of the completed buildings, such as air conditioning, conveyors and elevators. Because of the unfinished state of the other units, the Secretariat building had served temporarily as the principal entrance to all the buildings; members of delegations and the public would now, however, be able to use the entrance facilities in the General Assembly building.

The Conference building, housing the three Councils and containing three large conference rooms, together with the cafeteria, dining-room and smaller committee rooms, was put into use early in 1952. All three Councils had met in their respective Chambers and several other commissions and committees had occupied the other rooms at different times.¹¹⁴

The General Assembly building, including the plenary auditorium, a fourth large conference room, smaller committee rooms and lounges, together with spaces for the public and the Press, had been completed.¹¹⁵ A number of artistic decorative materials, the Secretary-General said, would be added in and around the building in the future.

The garage had been completed and had been in use for some time. During 1952 much space which had served as storage areas for construction material had been released for regular garage operation.

The Library building continued to serve the Library and the Military Staff Committee. No construction work had been done on that building during 1952.

Landscaping plans had been completed and some of the planting and final arrangements were in progress. The largest part, of necessity, had to be held in abeyance until other construction was finished. Some of the improvements in streets and approaches undertaken by the City of New York had been delayed, and this had made it impossible to go forward with much of the landscape work. The property-line curbs, fence and final pavements could not be built until the First Avenue tunnel, running from 41st to 48th Streets, was completed.

A supplementary request in the amount of \$3 million was submitted to the General Assembly at its sixth session, to augment the original authorization of \$65 million. The General Assembly authorized the additional funds, as follows:

(a) \$1 million was voted as a budgetary appropriation (resolution 592(VI) of 4 February 1952¹¹⁶);

(b) authorization to draw against the Working Capital Fund in an amount not to exceed \$2 million as required to complete the permanent Headquarters (resolution 585 B (VI) of 4 February 1952¹¹⁷).

The Secretary-General stated that, as of 15 August 1952, the sum of \$66,433,825 had been expended or obligated for the permanent Headquarters construction programme. Certain phases of the work had not been completed as yet and there remained a sum of \$1,566,175 available for obligation between August 1952 and the spring of 1953. This was principally for completion of the landscaping, reconstruction of the East River bulkhead and the final architectural, engineering, administrative and other related costs in connexion with the last stages of construction.

The sum of \$63,468,825.03 had been withdrawn by requisition against the loan of \$65 million made

¹¹³ See Y.U.N., 1951, p. 131.

¹¹⁴ The first meetings of the Councils in the Conference building were as follows: Trusteeship Council—27 February; Security Council—4 April; and Economic and Social Council—20 May.

¹¹⁵ The inaugural meeting of the General Assembly at the new assembly building was on 14 October.

¹¹⁶ See Y.U.N., 1951, p.149.

¹¹⁷ See Y.U.N., 1951, p.154.

available by the United States.¹¹⁸ The balance of \$1,531,174.97, the Secretary-General declared, would be withdrawn against the loan as required during the fourth quarter of 1952.

A withdrawal in the amount of \$500,000 had been made against the 1952 budget appropriation and the remainder would be expended during the latter part of 1952. As obligations were translated into expenditures, withdrawals would be made against the Working Capital Fund authorization. No further requests to the General Assembly for funds were contemplated.

The procedure of clearing with the Board of Art Advisers all matters relating to the selection of art objects, decorative materials and gift offers was still in effect. Important gifts of interior decorative objects and furnishings had been received from a number of governments, while other proposals were under discussion. The complete list of these contributions, the Secretary-General stated, would be made available at a later date.

The authorities of the City of New York, reported the Secretary-General, had carried forward their improvements around the site in accordance with the over-all plan which had been agreed to by the City and the United Nations in 1947. Reconstruction of the Franklin D. Roosevelt Drive, which was a co-operative venture by the City and the United Nations, was completed early in 1952 and the new approaches had been regularly used by vehicular traffic for many months. The alterations in general had proceeded well but progress on the First Avenue traffic underpass structure, the largest single undertaking by the City, had suffered because of slow deliveries of structural steel.¹¹⁹ The roadways and sidewalk pavings on the various streets involved in the City programme would not all be finished until the spring of 1953.

2. Consideration by the General Assembly at its Seventh Session

The Secretary-General submitted (A/2209) for the Assembly's consideration a draft resolution:

(1) taking note of his report; and (2) requesting him to submit a final report to the General Assembly at its eighth session.

The question of the permanent Headquarters was considered by the Fifth Committee at its 365th meeting on 17 November 1952. The representatives of Australia, Egypt, the Union of South Africa, the United Kingdom and the United States extended their congratulations on the successful outcome of the efforts that had been made to complete the work on the Headquarters building. Special tribute was paid to all concerned for the efficient manner in which the technical installations and services had operated from the commencement of the session of the Assembly. The representatives stressed, in particular, the very great debt which the United Nations owed to the Secretary-General himself for the interest he had shown and the contribution he had personally made to the success of the undertaking. Appreciative reference was made also to the major contributions which had been made by the staff concerned, the Headquarters Advisory Committee and the Director of Planning, as well as the generous assistance provided by the City of New York.

At the conclusion of the discussion, the Fifth Committee approved, by 43 votes to none, with 5 abstentions, the draft resolution presented by the Secretary-General.

The General Assembly at its 398th plenary meeting on 25 November 1952 adopted without discussion the draft resolution proposed by the Fifth Committee (A/2267) by 48 votes to none, with 5 abstentions, as resolution 663 (VII). It read:

"The General Assembly

"1. Takes note of the report of the Secretary-General on the Headquarters of the United Nations;

"2. Requests the Secretary-General to submit a final report to the General Assembly at its eighth session on the construction of the Headquarters."

¹¹⁸ According to the terms of the loan, it was to be repaid in annual instalments ranging from \$1,000,000 to \$2,500,000, the final payment being due in 1982. The first instalment of \$1,000,000 was paid on 28 June 1951 and the second instalment, also of \$1,000,000, on 30 June 1952.

¹¹⁹ The First Avenue vehicular tunnel was officially opened on 20 April 1953.

H. UNITED NATIONS POSTAL ADMINISTRATION

The General Assembly on 16 November 1950 adopted resolution 454(V)¹²⁰ requesting the Secretary-General to conclude an agreement with the United States concerning a United Nations postal administration and to proceed with the necessary arrangements for establishing the postal administration as soon as possible. The Assembly further requested the Secretary-General to submit, not later than the beginning of its seventh session, a comprehensive report on the establishment of the postal administration and on its subsequent operations.

The Secretary-General accordingly reported (A/2191 and Add.1) to the Assembly's seventh session. He recalled the establishment of the United Nations Postal Administration as of 1 January 1951, described, *inter alia*, the work preliminary to the first issue of United Nations postage stamps and referred to the operations of the United Nations post office station.¹²¹

As regards the relations between the United Nations Postal Administration and the Universal Postal Union, the Secretary-General reported that prior to their issuance, United Nations postage stamps had already been given official recognition by the Universal Postal Union through a decision taken by its Executive and Liaison Committee at Locarno in 1948.

The position of the United Nations Postal Administration vis-a-vis the Universal Postal Union was considered by the latter at its XIIIth Congress held at Brussels in 1952. The Congress on 8 July 1952 adopted a resolution which recognized, from the postal point of view, the establishment of the Postal Administration, and which noted that the Secretary-General of the United Nations was prepared to make a declaration expressing the obligation of the United Nations to observe the provisions of the Postal Convention and Regulations applicable to the postal operations of the United Nations. The resolution also expressed agreement with the suggestion of the Administrative Committee on Co-ordination that the United Nations should act on behalf of the specialized agencies in any further postal activities, and recommended that any further postal activity contemplated by the United Nations or any of the specialized agencies should be subject to consultation with the Universal Postal Union and subsequent approval by the General Assembly of the United Nations.

The Secretary-General further reported that certain specialized agencies had been considering the possibility of participating in the United Nations Postal Administration or making their own postal

arrangements with the governments concerned. This matter was submitted to the Administrative Committee on Co-ordination which, in its eleventh report to the Economic and Social Council (E/2203), expressed the view that there would be great advantage in making common or joint arrangements in regard to postal matters and facilities for the United Nations and the specialized agencies, and initiated the preparatory work necessary for making proposals to enable the Postal Administration to act on behalf of the specialized agencies.

The Economic and Social Council on 28 July 1952 adopted a resolution (451 B (XIV))¹²² on the matter. It took note of the recommendations of the Administrative Committee on Co-ordination and of the Universal Postal Union and requested the specialized agencies to submit any proposals concerning postal operations to the Secretary-General of the United Nations for consultation with the Universal Postal Union through its competent organs, and for subsequent consideration by the General Assembly.

The Secretary-General also reported that, following consultations with the United States authorities concerned, it had been agreed that facilities should be provided to the visiting public at United Nations Headquarters for the purchase of United Nations stamps either for mailing or for philatelic purposes. This would require, however, a revision of the Postal Agreement to provide for the deletion of the restrictive provision under which philatelic sales by the United Nations Postal Administration might be made only "in response to orders received by mail". The Secretary-General accordingly submitted a draft resolution (A/2191/Add.1) by which the Assembly would authorize him to conclude the instrument necessary to make this revision.

The Advisory Committee on Administrative and Budgetary Questions in its report (A/2237) to the Assembly on the question observed that the Postal Agreement since it came into force on 24 October 1951 had proved generally satisfactory and that the proposed amendment, with which the United States Government had concurred, was the only revision which the Secretary-General had found it necessary to suggest. It further noted that philatelic sales to visitors to United Nations Headquarters, amounting to not less than \$20,000 a year

¹²⁰ See Y.U.N., 1950, pp. 172-73.

¹²¹ See Y.U.N., 1951, pp. 131-32.

¹²² See also p. 544.

and probably exceeding that figure, might be expected to result from the additional facilities which the proposed amendment would make possible. Accordingly it recommended that the Assembly approve the Secretary-General's draft resolution.

The draft resolution proposed by the Secretary-General was adopted unanimously by the Fifth Committee at its 348th meeting on 27 October and, on the Committee's recommendation (A/2249), by the General Assembly, also unanimously and without discussion, at its 391st plenary meeting on 6 November (resolution 657(VII)). It read:

"The General Assembly,

"Noting the provisions of the Postal Agreement between the United Nations and the United States of America, concluded by the Secretary-General on behalf of the United Nations on 28 March 1951 in conformity with a request contained in General Assembly resolution 454(V) of 16 November 1950,

"Having considered a report by the Secretary-General on certain difficulties arising in the application of this Agreement with respect to the purchase of United Nations postage stamps by the visiting public at United Nations Headquarters,

"Noting the arrangements proposed by the Secretary-General as to the future operation of postal service at United Nations Headquarters,

"Noting in particular that an amendment to the Postal Agreement consisting of the deletion of the words "in response to orders received by mail" at the end of the first sentence of paragraph (ii) of section 3 of the Agreement will be required to bring these arrangements into effect,

"Authorizes the Secretary-General to conclude the instrument necessary to revise the Postal Agreement with the United States of America as provided in the preceding paragraph."

The revised Agreement came into effect on 17 November 1952. On the same day, a United Nations Postal Administration Sales Counter was opened in the public lobby of the General Assembly building at United Nations Headquarters in New York where United Nations stamps are now sold for both philatelic and postal purposes. Arrangements were also made during 1952 for the sale of United Nations stamps for philatelic purposes at the European Office of the United Nations at Geneva and were being made for their sale in London.¹²³ All the stamps issued by the United Nations Postal Administration are available at face value, or at equivalent prices established in Swiss francs and sterling.

Only United Nations postage stamps are sold at United Nations Headquarters in New York, and only United Nations stamps may be used on mail dispatched from Headquarters.

Revenue derived from stamps used for postage on United Nations official or private mail, or from mail deposited by visitors to the United

Nations Headquarters is retained by the United States Post Office Department. The United Nations derives revenue from the sale of stamps for philatelic purposes only. The total gross revenue of the United Nations Postal Administration for 1952 was \$492,547.95.

During 1952 an international competition for designs for United Nations postage stamps was held. Member Governments had been approached in 1951 with a request to furnish lists of artists and designers who would be competent and willing to participate in such a competition. On the basis of these lists, invitations to take part in the competition were sent out by the United Nations Postal Administration. Sixty-seven artists from 32 Member States submitted 194 designs, which were judged by an international jury appointed by the Secretary-General. The winners of the competition were announced on 25 November 1952. Artists and designers from eleven countries received prizes in three different groups of separate designs.

During 1952, two new commemorative stamps were issued and two items of postal stationery. The two last-mentioned were a 2¢ postcard first issued on 18 July and a 10¢ air letter sheet first issued on 29 August.

The first commemorative stamp issued on United Nations Day, 24 October, in a 5¢ denomination, shows the Veterans' War Memorial Building in San Francisco, where the United Nations Charter was signed in 1945, and carries the inscriptions "San Francisco, 1945" and "Birthplace of the Charter".

The second new stamp to commemorate the adoption in 1948 of the Universal Declaration of Human Rights, was issued on Human Rights Day, 10 December in 3¢ and 5¢ denominations. The design shows a flame surrounded by a circle with the words "Human Rights" in the five official languages superimposed on the two hemispheres, and the dates "10 December 1948-1952".

First day covers for these issues were serviced as follows:

2¢ postcard	116,023
10¢ air letter sheet	57,274
5¢ United Nations Day	160,117
3¢ and 5¢ Human Rights Day	299,309

The stamp programme for 1953 calls for the following issues:

24 April—Refugee stamp, to commemorate the work of the United Nations on behalf of refugees, in 3¢ and 5¢ denominations.

¹²³ These arrangements were completed on 26 May 1953, when 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.

12 June—UPU stamp, to honour the Universal Postal Union, in 3¢ and 5¢ denominations.

15 September—3¢ embossed envelope, to be issued in two sizes, standard and legal.

24 October—United Nations Day stamp, in 3¢ and denominations.

10 December—Human Rights Day stamp, in and 5¢ denominations.

ANNEX I. REPRESENTATIVES SERVING ON PRINCIPAL AND SUBSIDIARY ORGANS DURING 1952

A. THE GENERAL ASSEMBLY

1. Delegations to the First Part of the Seventh Session

AFGHANISTAN:

Representatives: Mohammed Kabir Ludin, Mir Najmouddin Ansari, Abdullah Yaftali, Rahman Razhwak; Alternates: Ataulah Naser-Zia, Abdul Hakim Tabibi, Abdul Aziz, Mohammed Ismail Osman, Mohammed Younos Rafik.

ARGENTINA:

Representatives: Rodolfo Muñoz, César A. Bunge, General Juan Carlos Sanguinetti, Enrique Ferrer Vieyra, Andres Lescure; Alternates: Enrique Abal, Cecilio J. Morales, Leonardo Vartalitis.

AUSTRALIA:

Representatives: R. G. Casey,¹²⁴ Sir Percy Spender, W. D. Forsyth, Patrick Shaw, K. C. O. Shann; Alternates: C. Q. F. Lee, A. H. Loomes, A. J. Eastman, D. W. McNicol, G. A. Jockel.

BELGIUM:

Representatives: Paul van Zeeland, Fernand van Langenhove, Leo Mundeleer, Maurice Orban, Henri Fayat; Alternates: Pierre Ryckmans, William van Remoortel, Albert Parisi, Miss Jeanne Driessen.

BOLIVIA:

Representatives: Hernan Siles Zuazo, Eduardo Arze Quiroga, Carlos Salamanca Figueroa, Manuel Frontaura Argandoña, Gaston Araoz; Alternates: Mrs. Carmen Bustamante de Lozada, German Rovira, Alberto Canedo, Raul Canedo Reyes, Hugo de la Rocha.

BRAZIL:

Representatives: Joao Neves da Fontoura, Joao Carlos Muniz, Gilberto Amado, Georgino Avelino, Aloysio de Castro; Alternates: Henrique de Souza Gomes, Aguinaldo Boulitreau Fragoso, Hernes Lima, Roberto Marinho, Ottolmy Strauch.

BURMA:

Representatives: James Barrington, Sao Wunna, Tun Shein, Sin Koi, Aung Pe; Alternates: Tint Swe, Bo Khin Maung, Ba Shwe, Sao Pye, Wuna Kyaw Htin U Thant.

BYELORUSSIAN SSR:

Representatives: K. V. Kiselyov, Pavel E. Astapenko, Mrs. Faina A. Novikova, M. T. Lynkov, G. A. Povetyev.

CANADA:

Representatives: Lester B. Pearson, Paul Martin, G. B. Isnor, A. Y. McLean, David M. Johnson; Alternates: C. P. Hébert, K. W. Taylor, J. Léger, Edgar McInnis, Mrs. Louis Berger.

CHILE:

Representatives: Hernan Santa Cruz, Alfredo Lea Plaza, Mrs. Ana Figueroa, Alberto Sepúlveda Contreras, Fausto A. Soto; Alternates: Horacio Suarez, Jorge Burr.

CHINA:

Representatives: George K. C. Yeh, Tingfu F. Tsiang, Shih-Shun Liu, Chieh Liu, C. L. Hsia; Alternates: Ti-Tsun Li, Shuhsi Hsu, Kan Lee, Pao-Yu Yin, Chih-Mai Chen.

COLOMBIA:

Representatives: Evaristo Sourdis, Cipriano Restrepo, Carlos Echeverri-Cortés, Francisco Urrutia, Arsencio Londoño-Palacios; Alternates: Jose Gutierrez Gomez¹²⁵, Eduardo Carrizosa, Alfonso Patiño-Roselli, Alfredo Cock.

COSTA RICA:

Representatives: Alfredo Volio Mata, Cristián de Tattenbach, Fernando Hine, Gonzalo Facio, Fabio Fournier; Alternates: Ruben Esquivel, Mario Golcher.

CUBA:

Representatives: Miguel Angel Campa, Emilio Nunez-Portuondo, Joaquín Meyer, Carlos Blanco, Eugenio Castillo; Alternates: Alberto de la Campa, Jose Manuel Cortina, Guy Perez Cisneros, Jose Miguel Ribas, Nicolás Rivero.

CZECHOSLOVAKIA:

Representatives: Gertruda Sekaninová-Cakrtová, Frantisek Vavricka, Jiri Nosek, Frantisek Komzala, Josef Ullrich; Alternates: Karel Petrzelka, Jan Cech, Jaroslav Pscolka, Zdenek Trhlik.

DENMARK:

Representatives: Ole Bjorn Kraft,¹²⁶ Kristen Amby, Henry L. W. Jensen, Alsing Andersen, Hermod Lannung; Alternates: William Borberg, Hjalmar Collin, Mrs. Bodil Begtrup, Finn T. B. Friis, J. V. Rechendorf.

DOMINICAN REPUBLIC:

Representatives: Joaquin E. Salazar, Tulio Franco y Franco, Porfirio Herrera Baez, Miss Minerva Bernardino, Enrique de Marchena; Alternate: Hans Cohn Lyon.

ECUADOR:

Representatives: Jose Vicente Trujillo, Alfonso Tous, Jose Maria Ponce-Yépez, Clemente Durán Ballen, Abel Romeo Castillo; Alternates: Gonzalo Apunte, Eduardo Larrea.

¹²⁴ In the absence of Mr Casey, C. Q. F. Lee and K. G. Brennan were designated to serve respectively as representative and alternate.

¹²⁵ Replaced Mr Urrutia on 8 November.

¹²⁶ In the absence of Mr Kraft, Mr Borberg was designated to act as Chairman of the Delegation.

EGYPT:

Representatives: Ahmed Mohamed Farrag, Ahmed Galal Eldine Abdelrazek, Abdel Monem Mostafa, Mahmoud Azmi; Alternates: Fouad El-Pharaony, Aly Kamel Fahmy, Abdel Monem El-Tanamly, Saleh Abdelrahman Mahmoud.

EL SALVADOR:

Representatives: Miguel Rafael Urquía, Carlos A. Siri, Lt.-Colonel Manuel de J. Cordova, Carlos Serrano-Garcia, Rafael Eguizabal.

ETHIOPIA:

Representatives: Ato Abte-Wold Aklilou, Ato Gabre Heywot Zaude, Blatta Ogbazgy Dawit, Ato Haddis Alemayehou, Ato Imru Zelleke; Alternates: Ato Dessalegn Amde Mikael, Lij Mikael Imru, John Spencer.

FRANCE:

Representatives: Robert Schuman,¹²⁷ Maurice Schumann, Jules Moch, Georges Pernot, Maurice Bourges-Maunoury, Henri Hoppenot; Alternates: Leon Jouhaux, Pierre Schneider, Paul Devinat, Guérin de Beaumont, Jean Maroger.

GREECE:

Representatives: Athanase Politis, Alexis Kyrou, Jean Spiropoulos, Jean Kindynis, Dimitrios Lambros; Alternates: Christian X. Palamas, Constantina Triantaphyllakos, Agis Kapsambélis, Costa Caranicas.

GUATEMALA:

Representatives: Guillermo Toriello-Garrido, Eduardo Castillo Arriola, Carlos Gonzalez Orellana, Alfonso Bauer Paiz, Jose Luis Mendoza; Alternates: Marco Antonio Villamar-Contreras, Victor Manuel Caceres, Antonio Aris de Castilla.

HAITI:

Representatives: Luc Fouché, Ducasse Jumelle, Max H. Dorsinville, Ernest Chauvet, Pierre L. Hudicourt; Alternates: Salnave Zamor, Joseph Loubeau.

HONDURAS:

Representatives: Tiburcio Carias, Jr., Jorge Fidel Duron, Humberto Lopez Villamil.

ICELAND:

Representatives: Thor Thors, Kristjan Albertson.

INDIA:

Representatives: Mrs. Vijaya Lakshmi Pandit, V. K. Krishna Menon, B. Shiva Rao, Nawab Ali Yawar Jung, G. S. Pathak; Alternates: Rajeshwar Dayal, Brag Kumar Nehru, Arthur Samuel Lall, A. D. Mani, Apa B. Pant.

INDONESIA:

Representatives: Mukarto Notowidigdo,¹²⁸ L. N. Palar, Darmasetiawan Notohatmodjo, Ali Sastroamidjojo, Sutan Mohamad Rasjid; Alternates: Abu Hanifah, Sudjarwo Tjondronegoro, Achmad Natanegara, S. H. Tajibnapsi, Mrs. A. Marzuki.

IRAN:

Representatives: Nasrollah Entezam, Ali Gholi Ardalan, Ghassem Ghassemzadeh, Djalal Abdoh, Abbas Ali Khalatbary; Alternates: Mohammad Ali Massoud-Ansari, Fazlollah Nouredin Kia, Fereydoun Adamiyat, Ezzedin Kazemi.

IRAQ:

Representatives: Mohamed Fadi Al-Jamali, Moussa Shabandar, Abdullah Bakr, Abdul Majid Abbas, Awni Khalidy; Alternates: Abdulrahman Bazzaz, Hashim Hilli, Adnan Pachachi, Nathir Umari, Mrs Badia Afnan.

ISRAEL:

Representatives: Moshe Sharett, Abba Eban, Arthur Lourie, Jacob Robinson, Shmuel Eliashiv, Shlomo Ginosar; Alternates: Gideon Rafael, Moshe Tov, Emile Najjar, Mrs. Zena Harman, Arthur Liveran.

LEBANON:

Representatives: Fouad Ammoun, Charles Malik, Jamil Mikaoui, Karim Azkoul; Alternates: Halim Shebea, Abdelrahman Sohl.

LIBERIA:

Representatives: Gabriel L. Dennis, Clarence L. Simpson, Henry F. Cooper, Richard S. Bright, E. C. B. Jones; Alternates: Lawrence E. Mitchell, Joseph J. Mends-Cole.

LUXEMBOURG:

Representatives: Joseph Bech, Hugues Le Gallais, Jean-Pierre Kremer, Pierre Pescatore, Camille Dumont; Alternate: Paul Reuter.

MEXICO:

Representatives: Luis Padilla Nervo, Luis Quintanilla, Jose Gorostiza, Luciano Joubanc Rivas, Carlos Peon del Valle; Alternates: Antonio Gomez Robledo, Francisco Cos, Mario Ramon Beteta.

NETHERLANDS:

Representatives: J. M. A. H. Luns,¹²⁹ D. J. von Baluseck, W. J. A. Kernkamp,¹²⁹ L. J. C. Beaufort, C. L. Patijn; Alternates: G. J. N. M. Ruygers, Marga A. M. Klompé, H. Riemens, B. V. A. Röling, Maria Z. N. Witteveen.

NEW ZEALAND:

Representatives: T. Clifton Webb, Leslie Knox Munro, A. D. McIntosh, G. R. Laking; Alternates: Thomas P. Davin, A. R. Perry, T. C. Larkin, J. V. Scott, R. Q. Quentin-Baxter.

NICARAGUA:

Representatives: Guillermo Sevilla Sacasa, Henri de Bayle, Colonel Julio C. Morales.

NORWAY:

Representatives: Halvard M. Lange, Oscar Gundersen, Finn Moe, C. J. Hambro, Hans Engen; Alternates: Chr. S. Oftedal, Erling Wikborg, Mrs. Aase Lionaes, Konrad Nordahl, Arne Ordning.

¹²⁷ During the presence of Mr Schuman, Mr Bourges-Maunoury and Mr Beaumont were designated to act, respectively, as alternate and adviser.

¹²⁸ In the absence of Mr Notowidigdo, Mr Palar and Mr Notohatmodjo were designated to act, respectively, as Chairman and Vice-Chairman of the Delegation, while Mr Hanifah and Mr Tjondronegoro were designated to act as representatives and Laila Rusad and Ibnu Suwongso Haminsar as alternates.

¹²⁹ During the absence of Mr Luns or Mr Kernkamp, G. J. N. M. Ruygers, Marga A. M. Klompé, W. H. J. van Asch van Wijck and A. I. Spits were designated to act as representatives.

PAKISTAN:

Representatives: Mohammad Zafrulla Khan, Ahmed S. Bokhari, Amjad Ali, Begum Ra'ana Liaquat Ali Khan, Maulvi Ebrahim Khan; Alternates: Hakim Mohammad Ahson, Fazal Elahi, Yusuf Khattak, Haran Chandra Barman, S. Itaat Hussain.

PANAMA:

Representatives: Jose Ramon Guizado, Ignacio Molino, Eusebio A. Morales, Jephtha B. Duncan, Ernesto de la Ossa; Alternate: Roberto de la Guardia.

PARAGUAY:

Representatives: Bernardo Ocampos, Osvaldo Chaves, Luis Oscar Boettner, Manuel J. Diaz de Vivar, Fernando Caballero Marsal.

PERU:

Representatives: Victor A. Belaunde, Juan Bautista de Laval, Fernando Berckemeyer, Carlos Holguin; Alternates: Manuel Felix Maurtua, Carlos Salazar, Jose A. Encinas.

PHILIPPINES:

Representatives: Carlos P. Rómulo, Jose C. Zulueta, Vicente Madrigal, Diosdado Macapagal, Jose J. Roy, Marcos M. Caló,¹³⁰ Alternates: Salvador P. Lopez, Jose D. Ingles, Mauro Mendez, Narciso G. Reyes, Adriano R. Garcia.¹³⁰

POLAND:

Representatives: Stanislaw Skrzesezewski, Marian Naszkowski, Jozef Winiewicz, Jerzy Michalowski, Henryk Birecki; Alternates: Juliusz Katz-Suchy, Alexander Krajewski, Manfred Lachs, Stanislaw Gajewski, Mrs. Irena Domanska.

SAUDI ARABIA:

Representatives: Prince Faisal Al-Saud, Yousef Yasin, Shaikh Asad Al-Faqih, Shaikh Ebrahim Sulaiman, Shaikh Ali A. Alireza; Alternates: Shaikh Ahmed Abdul Jabbar, Aouney W. Dejany, Jamil M. Baroody, Omar Haliq, Omar Abou Khadra.

SWEDEN:

Representatives: Osten Undén,¹³¹ Rickard Sandier, Mrs. Ulla Lindstrom, Knut Eworlöf,¹³² Ake Holmback;¹³² Alternates: Rolf Sohlman, Oscar Thorsing, Rolf Edberg, Bernhard Nasgård,¹³² Mrs. Adga Rossel.

SYRIA:

Representatives: Zafer Rifai, Farid Zeineddine, Ahmed Shukairi, Rafik Asha; Alternates: Salah el Dine Tarazi, Toufic Huneidi, Adib Daoudi, Najmuddine Rifai.

THAILAND:

Representatives: Prince Wan Waithayakon, Khemjati Punyaratabhan, Pote Sarasin, Thanat Khoman; Alternates: Luang Chammong Dithakar, Chitti Sucharitakul, Banthern Amatayakul, Mom Chao Jotisi Devakul, Prasong Pibulsonggram.

TURKEY:

Representatives: Fuat Köprülü, Selim Sarper, Kemal Süleyman Vaner, Melih Esenbel; Alternates: Adil Derinsu, Necmettin Tuncel, Sadi Eldem, Semih Baran.

UKRAINIAN SSR:

Representatives: A. M. Baranovsky, L. F. Palamar-chuck, M. P. Bazhan, Mrs. E. N. Khokhol, P. V. Kriven; Alternates: I. Z. Shtokalo, S. P. Demchenko.

UNION OF SOUTH AFRICA:

Representatives: G. P. Jooste, A. A. Roberts, J. R. Jordaan, L. Wessels, R. H. Coaton; Alternates: H. L. T. Taswell, M. I. Botha, B. G. Fourie, J. S. F. Botha.

USSR:

Representatives: Andrei Y. Vyshinsky, Andrei A. Gromyko, Valerian Alexandrovich Zorin, G. N. Zarubin, A. A. Sobolev; Alternates: A. M. Kutchkarov, O. O. Yurans, Mrs S. M. Speranskaya, G. P. Arkadyev, P. D. Morozov.

UNITED KINGDOM:

Representatives: Anthony Eden, Selwyn Lloyd,¹³³ H. L. d'a. Hopkinson,¹³⁴ Sir Gladwyn Jebb, Mrs E. Emmet; Alternates: Lord Llewellyn, Viscount Caldecote, Sir Clifford Norton, G. G. Fitzmaurice, P. M. Crowthwaite.

UNITED STATES:

Representatives: Dean Acheson, Warren R. Austin, Mrs. Franklin D. Roosevelt, Theodore F. Green, Alexander Wiley, Ernest A. Gross,¹³⁵ Alternates: Philip C. Jessup, Benjamin V. Cohen, Charles A. Sprague, Edith S. Sampson, Isador Lubin.¹³⁵

URUGUAY:

Representatives: César Charlone, Enrique Rodríguez Fabregat, Angel Maria Cusano, Alfredo Lepro, Arturo Lezama; Alternates: Gilberto Pratt de Maria, Aureliano Aguirre.

VENEZUELA:

Representatives: César Gonzalez, Santiago Perez, Victor Manuel Perez Perozo, Francisco Manuel Mármol, Lorenzo A. Mendoza; Alternates: Victor Manuel Rivas, Francisco Alfonzo Ravard, Adolfo Nass.

YEMEN:

Representatives: Prince Saif Al Islam Abdullah, Sayed Hasan Ibrahim, Sayed Abdurrahman Abulsamad Abou-Taleb, Adnan Tarcici, Alkadi Mohammed Azzohieri; Alternates: Sayed Mohammad Al-Shami Talat Alghoussein.

YUGOSLAVIA:

Representatives: Veljko Vlahovic, Vladimir Popovic Leo Mates, Josip Djerda, Vladimir Dedijer; Alternates: Milan Bartos, Marijan Barisic.

¹³⁰ During the presence of the first five representatives, Mr Caló and Mr Garcia were designated to act respectively as alternate representative and adviser.

¹³¹ In the absence of Mr Unden, Dag Hammarskjöld was designated to act as Chairman of the Delegation.

¹³² Were replaced when absent by Erik Hagberg, Manne Stahl and Torstion Bengtsson.

¹³³ Was designated to act as Chairman of the Delegation during the absence of Mr Eden.

¹³⁴ On the departure of Mr Hopkinson, Lord Llewellyn and Sir Alan Burns were designated to act respectively as representative and alternate.

¹³⁵ During the presence of Mr. Acheson, Mr Gross and Mr Lubin were designated to serve, respectively, as alternate and adviser.

NON-MEMBER STATES MAINTAINING OBSERVERS AT HEADQUARTERS

AUSTRIA:

Representative: Franz Match.

FINLAND:

Representative: Richard R. Seppälä.

GERMANY, FEDERAL REPUBLIC OF:

Representative: Hans E. Riesser.

ITALY:

Representative: Gastone Guidotti.

JAPAN:

Representative: Ryuji Takeuchi

KOREA:

Representatives: Y. T. Pyun, Y. C. Yang, B. C. Limb,
P. W. Han, D. Y. Namkoong.

SWITZERLAND:

Representatives: Jean Frederic Wagnière, Claude van
Muyden.

VIETNAM:

Representative: Buu Kinh.

REPRESENTATIVES OF THE INTERNA- TIONAL COURT OF JUSTICE

Sir Arnold Duncan McNair (President), Jean Garnier-
Coignet.

REPRESENTATIVES OF SPECIALIZED AGENCIES

INTERNATIONAL LABOUR ORGANISATION (ILO):

F. Cisternas (Chairman of the Governing Body of
the International Labour Office), Leon Jouhaux, Sir
Guildhaume Myrddin-Evans, G. P. Delaney, C. Shaw,
H. Taylor, David A. Morse (Director-General of the
International Labour Office); Alternate to the Director-
General: C. W. Jenks.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

Frank L. McDougall (Special Assistant to the Director-
General); Alternate: J. Orr.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

John Taylor (Deputy Director-General), Lionel Elvin,
René Maheu, Solomon V. Arnaldo, Arthur F. Gagliotti,
Gerald Carnes, C. M. Berkeley, Pio-Carlo Terenzio.

INTERNATIONAL CIVIL AVIATION ORGANIZA- TION (ICAO):

Edward Warner (President of the Council), E. C. R.
Ljungberg (Secretary-General), E. R. Marlin, J. Hut-
chison.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (BANK):

Richard H. Demuth, Enrique López Herrarte.

INTERNATIONAL MONETARY FUND (FUND):

Ivar Rooth (Managing Director), Gordon Williams.

UNIVERSAL POSTAL UNION (UPU):

John M. Redding (Assistant Postmaster-General of the
United States), John J. Gillen, Greever P. Allan.

WORLD HEALTH ORGANIZATION (WHO):

R. L. Coigny (Chief, Liaison Office with the United
Nations), Mabel S. Ingalls, Mrs. S. Meagher.

INTERNATIONAL TELECOMMUNICATION UNION (ITU):

Helen Kelly.

WORLD METEOROLOGICAL ORGANIZATION (WMO):

F. W. Reichelderfer (President); Alternates: P. H.
Kutschenreuter, H. N. Burke.

2. Representatives Serving on Subsidiary Bodies During 1952

a. PEACE OBSERVATION COMMISSION

CHINA:

Representative: Tingfu F. Tsiang; Alternates: Shuhsi
Hsu, Chiping H. C. Kiang.

COLOMBIA:

Representative: Carlos Echeverri-Cortés.

CZECHOSLOVAKIA:

Representative: Jiri Nosek; Alternates: Jaroslav Rybar,
Milan Glozar.

FRANCE:

Representative: Henri Hoppenot; Alternate: Francis
Lacoste.

INDIA:

Representative: Rajeshwar Dayal; Alternate: B. Rajan.

IRAQ:

Representative: Abdul Majid Abbass.

ISRAEL:

Representative: Abba Eban; Deputy: Arthur Lourie.

NEW ZEALAND:

Representative: Leslie Knox Munro.

PAKISTAN:

Representative: Ahmed S. Bokhari; Alternate: Viqar
Ahmed Hamdani.

SWEDEN:

Representative: Oscar Thorsing.

USSR:

Representative: Valeryan Aleksandrovich Zorin.

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb.

UNITED STATES:

Representative: Ernest A. Gross.

URUGUAY:

Representative: Enrique Rodríguez-Fabregat.

BALKAN SUB-COMMISSION

COLOMBIA:

Representative: Eduardo Carrizosa.

FRANCE:

Representative: Pierre Ordonneau.

PAKISTAN:

Representative: Viqar Ahmed Hamdani.

SWEDEN:

Representative: Oscar Thorsing.

UNITED STATES:

Representative: Thomas Cory.

b. COLLECTIVE MEASURES COMMITTEE

AUSTRALIA:

Representative: W. D. Forsyth; Alternate: A. H. Loomes.

BELGIUM:

Representative: Joseph Nisot; Alternate: Georges Cassiers.

BRAZIL:

Representative: Joao Carlos Muniz (Chairman);
Alternate: Alvaro Teixeira Soares.

BURMA:

Representative: James Barrington; Alternate: Ba Maung.

CANADA:

Representative: David M. Johnson; Alternate: James George.

EGYPT:

Representative: Mahmoud Fawzi;¹³⁶ Alternate: Fouad El-Pharaony.

FRANCE:

Representative: Henri Hoppenot; Alternate: Francis Lacoste.

MEXICO:

Representative: Luis Padilla Nervo; Alternate: Jose Gorostiza.

PHILIPPINES:

Representative: Salvador P. Lopez.

TURKEY:

Representative: Selim Sarper; Alternate: Adil Derinsu.

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb; Alternate: J. E. Coulson.

UNITED STATES:

Representative: Warren R. Austin; Deputy: Harding F. Bancroft.

VENEZUELA:

Representative: César Gonzalez; Alternate: Victor Manuel Rivas.

YUGOSLAVIA:

Representative: Djuro Nincic.

C. UNITED NATIONS COMMISSION TO INVESTIGATE CONDITIONS FOR FREE ELECTIONS IN GERMANY

BRAZIL:

Representative: Antonio Mendes Vianna,

ICELAND:

Representative: Thor Thors; Alternate: Kristjan Albertson.

NETHERLANDS:

Representative: Max Kohnstamm.

PAKISTAN:

Representative: Ali Haider Abbasi.¹³⁷

POLAND¹³⁸**d. UNITED NATIONS COMMISSION FOR THE UNIFICATION AND REHABILITATION OF KOREA**

AUSTRALIA:

Representative: James Plimsoll (to 13 December), Thomas K. Critchley (from 14 December, previously alternate); Alternates: H. W. Bullock, O. N. H. M. Smith, Lionel E. Phillips.

CHILE¹³⁹

NETHERLANDS:

Representative: Baron G. E. Van Ittersund; Alternates: E. J. Lewe Van Aduard, H. Hagenaar (Acting Representative to 29 April), David Ketel (Acting Representative from 17 August).

PAKISTAN:

Representative: Mian Zia-Ud-Din; Alternate: Abdul Ghayur Kakar.

PHILIPPINES:

Representative: Jose P. Melencio; Alternate: Maximino G. Bueno.

THAILAND:

Representative: Prince Pridi Debyanbongs Devakula; Alternate: Chitti Sucharitakul.

TURKEY:

Representative: Kamil Idil.

Representatives Serving on Advisory Committee

CANADA (Chairman):

David Johnson.

INDIA:

Rajeshwar Dayal.

UNITED KINGDOM:

Gerald Meade.

UNITED STATES:

Isador Lubin; Deputy: Graham Hall.

URUGUAY:

Darwin Bracco.

f. UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

FRANCE:

Representatives: Leon Marchal (to 21 April) Claude Bréart de Boisanger (21 April to 14 May) Pierre Ordonneau (from 14 May).

¹³⁶ Replaced by Ahmed Galal Eddine Abdel-Razek in November.

¹³⁷ During the absence of Mr Abbasi between 16 and 23 March 1952, Pakistan was represented by Omar Hayat Malik.

¹³⁸ Officially declined to participate in the Commission.

¹³⁹ Had no representative in the area during 1952; on 20 May 1953 Gonzalo Montt was appointed to replace Manuel Trucco.

TURKEY:

Representatives: Turgut Menemencioglu (to 5 September), Adil Derinsu (5 to 23 September), Semih Baran (from 23 September).

UNITED STATES:

Representatives: Ely E. Palmer (to 22 July), John C. Ross (from 12 September); Alternate: James W. Barco.

g. UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Representatives Serving on Advisory Commission

FRANCE:

Henry Ingrand

TURKEY:

Refet Bele

UNITED KINGDOM:

Sir Henry Knight

UNITED STATES: Edwin A. Locke, Jr.

b. STANDING COMMITTEE ON REPATRIATION OF GREEK CHILDREN¹⁴⁰

PERU:

Representative: J. A. Encinas.

PHILIPPINES:

Representative: Salvador P. Lopez

SWEDEN:

Representative: Oscar Thorsing (Chairman)

i. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Representatives Serving on High Commissioner's Advisory Committee on Refugees
(second session)

AUSTRALIA:

Patrick Shaw

AUSTRIA:

Karl Fritzer

BELGIUM:

René Contempre

BRAZIL:

B. Rocque da Motta

DENMARK:

Finn T. B. Friis

GERMANY FED. REP. OF:

Werner G. Middelmann

FRANCE:

Jean Serres (Chairman)

HOLY SEE:

Reverend Edward Killion

ISRAEL:

Menahem Kahany (Rapporteur)

ITALY:

Lorenzo Nicolai

SWITZERLAND:

Oscar Schurch

TURKEY:

Necmettin Tuncel

UNITED KINGDOM:

John G. S. Beith

UNITED STATES:

Donald C. Blaisdell

VENEZUELA:

Victor Montoya (Vice-Chairman)

j. UNITED NATIONS ADVISORY COUNCIL FOR SOMALILAND

COLOMBIA:

Representative: Edmundo de Holte-Castello.

EGYPT:

Representative: Salah El Din Fadel (to 20 September), Mahmoud Moharram Hammed (from 27 October).

PHILIPPINES:

Representative: Victorio D. Carpio (to 10 June), Vicente L. Pastrana (from 10 June).

k. Ad Hoc COMMITTEE ON SOUTH WEST AFRICA

NORWAY:

Representative: Jacob S. Worm-Muller; Alternate: Hans Engen.

SYRIA:

Representative: Farid Zeineddine; Alternate: Najmuddin Rifai.

THAILAND:

Representatives: Prince Wan Waithayakon (Chairman),¹⁴¹ Mom Chao Dilokrit Kridakon, Thanat Khoman.

UNITED STATES:

Representative: Benjamin Gerig.

URUGUAY:

Representative: Enrique Rodríguez Fabregat; Alternate: Francisco A. Forteza.

l. COMMITTEE ON INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

AUSTRALIA:

Representative: W. D. Forsyth; Alternate: A. H. Loomes.

BELGIUM:

Representative: Pierre Ryckmans; Alternates: Georges Cassiers, Jacques Houard.

BRAZIL:

Representative: Carlos Calero Rodrigues.

¹⁴⁰ As of 31 Dec. 1952.

¹⁴¹ Prince Waithayakon resigned from the chairmanship on 23 April and the Committee appointed Mr Kridakon as Chairman. Upon his resignation from the chairmanship on 30 September Mr Kohman was elected Chairman.

CUBA:

Representative: Carlos Blanco (Vice-Chairman);
Alternate: Uldarica Manas.

DENMARK:

Representative: Willam Borberg; Alternates: Eske
Brun, P. P. Sveistrup, Christian D. Holten-Eggert.

ECUADOR:

Representative: Teodoro Bustamante.

EGYPT:

Representative: Aly Kamel Fahmy; Alternates: Abdel
Hamid Abdel Ghani, Ibrahim Ezzat.

FRANCE:

Representative: Leon Pignon; Alternate: Andre
Naudy.

INDIA:

Representative: B. Shiva Rao.

INDONESIA:

Representative: Soeleiman Hoesin Tajibnapis.

NETHERLANDS:

Representative: D. J. von Balluseck; Alternates: A. I.
Spits, A. J. van Baal, H. Scheltema.

NEW ZEALAND:

Representative: T. P. Davin (Rapporteur); Alternate:
J. V. Scott.

PAKISTAN:

Representative: Muhammad Asad (Chairman).

USSR:

Representative: A. A. Roschin.

UNITED KINGDOM:

Representative: W. A. C. Mathieson; Alternate: W. H.
Chinn.

UNITED STATES:

Representative: Benjamin Gerig; Alternate: William
I. Cargo.

**m. Ad Hoc COMMITTEE ON FACTORS
(NON-SELF-GOVERNING TERRITORIES)**

AUSTRALIA:

Representative: W. D. Forsyth; Alternate: A. H.
Loomes.

BELGIUM:

Representative: Pierre Ryckmans; Alternates: Georges
Cassiers, Jacques Houard.

BURMA:

Representative: Thray Sithu, James Barrington;
Alternate: Ba Maung.

CUBA:

Representative: Carlos Blanco; Alternate: Uldarica
Manas.

DENMARK:

Representative: William Borberg; Alternates: Eske
Brun, P. P. Sveistrup, Christian D. Holten-Eggert.

FRANCE:

Representative: Leon Pignon; Alternate: Andre
Naudy.

GUATEMALA:

Representative: Eduardo Castillo Arriola; Alternate:
Antonio Aris de Castilla.

IRAQ:

Representative: Awni Khalidy (Chairman).

UNITED STATES:

Representative: Benjamin Gerig (Vice-Chairman and
Rapporteur).

VENEZUELA:

Representative: Victor Manuel Rivas.

n. COMMITTEE ON ADMINISTRATIVE UNIONS

BELGIUM:

Representative: Jacques Houard.

BRAZIL:

Representative: Carlos Calero Rodrigues.

INDIA:

Representative: A. D. Mani (Chairman)

UNITED STATES:

Representative: William I. Cargo; Alternate: D. Ver-
non McKay.

O. HEADQUARTERS ADVISORY COMMITTEE

AUSTRALIA:

Representative: H. G. Marshall.

BELGIUM:

Representative: Robert Fenaux.

BRAZIL:

Representative: Luiz L. Bastian Pinto.

CANADA:

Representative: Kenneth Greene.

CHINA:

Representatives: C. L. Hsia, Chipping H. C. Kiang.

COLOMBIA:

Representative: Eduardo Carrizosa.

FRANCE:

Representative: Francis Lacoste; Alternate: Pierre
Ordonneau.

GREECE:

Representative: Alexis Kyrrou.

INDIA:

Representative: Rajeshwar Dayal.

NORWAY:

Representative: Arne Sunde; Alternates: Hans Engen,
Bredo Stabell, Rolf Hancke.

POLAND:

Representative: Stefan Boratynski.

SYRIA:

Representatives: Rafik Asha, Farid Zeineddine.

USSR:

Representative: Georgi Filippovich Saksin.

UNITED KINGDOM:

Representative: Stuart Gerald Yorston.

UNITED STATES:

Representative: Warren R. Austin (Chairman).

YUGOSLAVIA:

Representative: Ratko Pleic.

p. SPECIAL COMMITTEE FOR THE CONSIDERATION OF THE METHODS AND PROCEDURES OF THE GENERAL ASSEMBLY FOR DEALING WITH LEGAL AND DRAFTING QUESTIONS

BELGIUM:

Representative: Joseph Nisot; Alternate: Georges Cassiers.

CANADA:

Representative: A. Raymond Crepault (Rapporteur).

CHILE:

Representative: Horacio Suarez; Alternate: Margarita Gallo-Muller.

CZECHOSLOVAKIA:

Representative: Karel Petrzelka.

EGYPT:

Representative: Saleh Mahmoud.

EL SALVADOR:

Representative: Miguel Rafael Urquía; Alternate: Rafael Eguizábal.

FRANCE:

Representative: Pierre Ordonneau.

INDONESIA:

Representative: Soeleiman Hoesin Tajibnapis.

IRAN:

Representative: Djalal Abdoh (Chairman); Alternate: Fereydoun Adamiyat.

ISRAEL:

Representative: Gideon Rafael.

SWEDEN:

Representative: Oscar Thorsing; Alternate: Baron Goran von Otter.

USSR:

Representative: Georgi Filippovich Saksin.

UNITED KINGDOM:

Representative: F. A. Vallat.

UNITED STATES:

Representative: James N. Hyde; Alternate: Charles D. Cook.

VENEZUELA:

Representative: Victor Manuel Perez Perozo (Vice-Chairman).

B. THE SECURITY COUNCIL

1. Representatives and Deputy, Alternate and Acting Representatives Accredited to the Council

BRAZIL:

Joao Carlos Muniz, Alvaro Teixeira Soares.

CHILE:

Hernán Santa Cruz, Rudecindo Ortega Masson, Mrs. Ana Figueroa, Alfredo Lea-Plaza, Horacio Suarez.

CHINA:

Tingfu F. Tsiang, C. L. Hsia, Shuhsi Hsu.

FRANCE:

Jean Chauvel (to 1 February), Henri Hoppenot (from 1 February), Francis Lacoste.

GREECE:

Alexis Kyrrou, George B. Kapsambelis, Stavros G. Roussos.

NETHERLANDS:

D. J. von Balluseck, J. M. A. H. Luns, Baron S. van Heemstra, Baron D. W. van Lynden.

PAKISTAN:

Ahmed S. Bokhari, Muhammad Asad, A. H. B. Tyabji Syed Itaat Husain.

TURKEY:

Selim Sarper, Ilhan Savut.

USSR:

Yakov A. Malik, Valerian Alexandrovich Zorin, Semen K. Tsarapkin, Aleksander A. Soldatov.

UNITED KINGDOM:

Sir Gladwyn Jebb, J. E. Coulson, P. Moore Cross-thwaite.

UNITED STATES:

Warren R. Austin, Ernest A. Gross, John C. Ross.

2. Military Staff Committee

CHINA:

Navy Representative: Commodore Kao Ju-fon.

FRANCE:

Army Representative: General de Brigade Marcel Penette.

Navy Representative: Capitaine de Fregate Pierre H. Mazoyer (to 10 September 1952); Capitaine de Fregate Marc Sanoner (from 11 September 1952).

Air Force Representative: Commandant Louis Le Gelard.

USSR:

Army Representative: Major-General Ivan Andreevich Skliarov.

Air Force Representative: Lt.-General A. R. Sharapov.

UNITED KINGDOM:

Army Representative: Major-General W. A. Dimoline.

Navy Representative: Captain R. G. Mackay, RN (to 30 June 1952); Commander R. H. Graham, RN (from 1 July 1952).

Air Force Representative: Group Captain A. M. Montagu-Smith.

UNITED STATES:

Army Representative: Lt.-General Willis D. Crittenberger.

Navy Representative: Vice-Admiral O. C. Badger (to 13 May 1952); Vice-Admiral A. D. Struble (from 14 May 1952).

Air Force Representative: Lt.-General H. R. Harmon.

3. Disarmament Commission**BRAZIL:**

Representative: Joao Carlos Muniz; Alternate: Alvaro Teixeira Soares.

CANADA:

Representative: David M. Johnson; Alternate: James George.

CHILE:

Representative: Hernan Santa Cruz; Alternate: Carlos Valenzuela.

CHINA:

Representative: Tingfu F. Tsiang; Alternate: Hsioh-Ren Wei.

FRANCE:

Representative: Jules Moch,
Acting Representative: Henri Hoppenot.

GREECE:

Representative: Alexis Kyrou; Alternate: George B. Kapsambelis.

NETHERLANDS:

Representative: D. J. von Balluseck; Alternate: J. M. A. H. Luns, Baron D. W. van Lynden (from 19 September 1952).

PAKISTAN:

Representative: Ahmed S. Bokhari; Alternate: Muhammad Asad, A. H. B. Tyabji (from 30 September).

TURKEY:

Representative: Selim Sarper.

USSR:

Representative: Yakov A. Malik, Valerian Alexandrovich Zorin (from 28 August); Alternate: Semen K. Tsarapkin, Aleksander A. Soldatov (from 28 August).

UNITED KINGDOM:

Representative: Sir Gladwyn Jebb; Alternate: J. E. Coulson, P. M. Crosthwaite (from 18 September).

UNITED STATES:

Representative: Warren R. Austin; Deputy Representative: Benjamin V. Cohen.

C. THE ECONOMIC AND SOCIAL COUNCIL**1. Delegations to the Council****a. FIRST SPECIAL SESSION****MEMBERS OF THE COUNCIL****ARGENTINA:**

Representative: Luis A. Arean; Alternates: Andres M. Lescure, Cecilio J. Morales.

BELGIUM:

Representative: Fernand van Langenhove; Alternates: Robert Fenaux, Jules Woulbroun.

CANADA:

Representative: D. M. Johnson.

CHINA:

Representative: C. L. Hsia; Alternate: Paonan Cheng.

CUBA:

Acting Representative: Carlos Blanco.

CZECHOSLOVAKIA:

Representative: Jiri Nosek; Alternate: Milan Glozar.

EGYPT:

Representative: Mahmoud Azmi.

FRANCE:

Representative: Philippe de Seynes; Alternates: Gerard Amanrich, Roger Gorse.

IRAN:

Representative: Ali Gholi Ardalan; Alternate: Djalal Abdoh.

MEXICO:

Representative: Jose Gorostiza; Alternate: Manuel Rodríguez de San Miguel.

PAKISTAN:

Representative: A. A. Farooq.

PHILIPPINES:

Representative: Carlos P. Rómulo; Alternates: Jose D. Ingles, Mauro Mendez, Adriano R. Garcia.

POLAND:

Representative: Henryk Birecki; Alternate: Stefan Boratynski.

SWEDEN:

Alternate: Baron Goran von Otter.

USSR:

Representative: Georgi Filippovich Saksin.

UNITED KINGDOM:

Representative: C. M. Anderson; Alternate: H. T. A. Overton.

UNITED STATES:

Representative: Isador Lubin; Alternate: Walter Kotschnig.

URUGUAY:

Representative: Enrique Rodríguez Fabregat.

SPECIALIZED AGENCIES**INTERNATIONAL LABOUR ORGANISATION (ILO):**

Representative: R. A. Métall; Alternate: A. A. P. Dawson.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

Representative: Alicia Banos.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Representative: Solomon V. Arnaldo.

UNIVERSAL POSTAL UNION (UPU):

Representative: M. Gillen

WORLD HEALTH ORGANIZATION (WHO):

Representatives: Mabel S. Ingalls, George E. Hill, H.

NON-GOVERNMENTAL ORGANIZATIONS

Category A

WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS:

Representative: Stephen Schwebel.

INTERNATIONAL CO-OPERATIVE ALLIANCE:

Representative: Leslie Woodcock.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS:

Representative: Toni Sender.

Category B

WORLD UNION FOR PROGRESSIVE JUDAISM:

Representative: Ronald L. Ronalds.

WORLD JEWISH CONGRESS:

Representative: Gerhard Jacoby.

CO-ORDINATING BOARD OF JEWISH ORGANIZATIONS FOR CONSULTATION WITH THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS:

Representative: Colonel Bernard Bernstein.

INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN:

Representative: Max Beer.

INTER-AMERICAN COUNCIL OF COMMERCE AND PRODUCTION:

Representative: Earl F. Cruickshank.

b. FOURTEENTH SESSION

MEMBERS OF THE COUNCIL

ARGENTINA:

Representative: Rodolfo Muñoz; Alternates: Luis A. Arean, Cecilio J. Morales.

BELGIUM:

Representative: Raymond Scheyven; Alternates: Georgette Ciselet, Henri Fayat, Louis-Ghislain Delhayé, Robert Fenaux, Pierre Staner, Jacques Mertens de Wilmars, Robert Faniel, André Chaval, Jules Woulbroun, J. Desy.

CANADA:

Representative: J. Lesage; Alternates: D. M. Johnson, James Sinclair, G. F. Davidson, F. G. Robertson, John Deutsch.

CHINA:

Representative: C. L. Hsia; Alternate: Paonan Cheng.

CUBA:

Representative: Emilio Nuñez-Portuondo; Alternates: Carlos Blanco, Guy Pérez Cisneros, Jose Miguel Ribas, Nicolas Rivero, Manuel G. Hevia.

CZECHOSLOVAKIA:

Representative: Jiri Nosek; Alternates: Frantisek Vavricka, Ladislav Novak, Karel Petrzelka, Otakar Taufer, Jiri Stary.

EGYPT:

Representative: Mahmoud Fawzi; Alternates: Mahmoud Azmi, Fouad El Pharaony, Aly Kamel Fahmy, Salen Abdelrahman Mahmoud.

FRANCE:

Representative: Pierre Abelin; Alternate: Georges Boris.

IRAN:

Representative: Ali Gholi Ardalan; Alternate: Djalal Abdoh.

MEXICO:

Representative: Luis Padilla Nervo; Alternates: Jose Gorostiza, Luciano Joubland-Rivas.

PAKISTAN:

Representative: Amjad Ali; Alternate: Said Hasan.

PHILIPPINES:

Representative: Carlos P. Rómulo; Alternates: Salvador P. Lopez, Jose D. Ingles, Mauro Mendez, Narciso G. Reyes, Adriano R. Garcia.

POLAND:

Representative: Henryk Birecki; Alternate: Jan Galewicz.

SWEDEN:

Representative: Richard Mauritz Edvard Sterner; Deputy Representatives: Erik Westerlind, Baron Goran von Otter, Sven Backlund, Ernst Michanek.

USSR:

Representative: Georgi Petrovich Arkadiev; Alternates: Georgi Filippovich Saksin, P. D. Morozov.

UNITED KINGDOM:

Representative: Earl of Selkirk (to 8 July), Sir Gladwyn Jebb (from 9 July); Alternates: C. A. G. Meade, J. M. Fleming.

UNITED STATES:

Representative: Isador Lubin; Deputy Representative: Walter M. Kotschnig.

URUGUAY:

Representative: Enrique Rodríguez-Fabregat.

OBSERVERS

MEMBER STATES OF THE UNITED NATIONS

BRAZIL:

Representatives: Alvaro Teixeira Soares, Luis Bastian Pinto.

CHILE:

Representatives: Hernan Santa Cruz, Mrs. Ana Figueroa, Horacio Suarez, Alberto Yoacham.

INDIA:

Representatives: B. Rajan, P. K. Banerjee.

NETHERLANDS:

Representative: H. Jonker.

SAUDI ARABIA:

Representative: Omer Halik.

TURKEY:

Representative: Kemal Suleyman Vaner.

YUGOSLAVIA:

Representatives: Marjan Barisic, Ratko Pleic.

NON-MEMBER STATES OF THE UNITED NATIONS

JAPAN:

Representative: Hisanaga Shimazu.

SPECIALIZED AGENCIES

INTERNATIONAL LABOUR ORGANISATION (ILO):

Representative: C. Wilfred Jenks; Alternates: R. A. Métall, W. Yalden-Thomson.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

Representatives: Frank L. McDougall, Karl D. Olsen, Harold A. Vogel, Alicia Banos.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Representatives: Jaime Torres Bodet, Malcolm S. Adiseshiah, Solomon V. Arnaldo, Julian M. Behrstock, Gerald Carnes, Pio-Carlo Terenzio, Arthur F. Gagliotti.

INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO):

Representatives: Edward Warner, E. R. Marlin, J. Hutchison.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT (BANK):

Representatives: Eugene R. Black, Richard H. Demuth, Enrique Lopez-Herrarte.

INTERNATIONAL MONETARY FUND (FUND):

Representatives: Ivar Rooth, Gordon Williams.

WORLD HEALTH ORGANIZATION (WHO):

Representatives: Pierre Dorolle, W. P. Forrest, P. Kaul, Mabel S. Ingalls, Miss B. Howell, George E. Hill, II.

UNIVERSAL POSTAL UNION (UPU):

Representatives: Joseph F. Jones, Cornelius Petersen.

INTERNATIONAL TELECOMMUNICATION UNION (ITU):

Representative: Harvey B. Ottermann.

WORLD METEOROLOGICAL ORGANIZATION (WMO):

Representatives: F. W. Reichelderfer, P. H. Kutschenreuter, Norman: R. Hagen.

PREPARATORY COMMITTEE OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION:

Representative: Branko Lucac.

OTHER INTERGOVERNMENTAL ORGANIZATIONS

PROVISIONAL INTERGOVERNMENTAL COMMITTEE FOR THE MOVEMENT OF MIGRANTS FROM EUROPE:

Representative: Abba P. Schwartz.

NON-GOVERNMENTAL ORGANIZATIONS

Category A

INTERNATIONAL CHAMBER OF COMMERCE:

Representatives: Wilbert Ward, Maurice J. Smits, Roberta M. Lusardi, Mr McIntyre.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS:

Representatives: Toni Sender, James T. Leary.

INTERNATIONAL CO-OPERATIVE ALLIANCE:

Representative: Leslie Woodcock.

INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS:

Representative: Andrew Cairns.

INTERNATIONAL FEDERATION OF CHRISTIAN TRADE UNIONS:

Representative: Gerhard Thormann.

WORLD FEDERATION OF TRADE UNIONS:

Representatives: Fernando Santi, Iradj Eskandary, Elinor Kahn.

WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS:

Representative: Clark M. Eichelberger, Clyde Eagle-ton, Stephen Schwebel.

Category B and Register

AGUDAS ISRAEL WORLD ORGANIZATION:

Representative: Isaac Lewin.

CATHOLIC INTERNATIONAL UNION FOR SOCIAL SERVICE:

Representatives: Grace Aieta, Angele de Broeck.

COMMISSION OF THE CHURCHES ON INTERNATIONAL AFFAIRS:

Representatives: Frederick Nolde, Richard M. Fagley, Elfan Rees.

COMMITTEE FOR ECONOMIC DEVELOPMENT (UNITED STATES):

Representatives: Sylvia Stone, David W. Day, Wesley F. Rennie.

CONSULTATIVE COUNCIL OF JEWISH ORGANIZATIONS:

Representative: Moses Moskowitz.

CO-ORDINATING BOARD OF JEWISH ORGANIZATIONS:

Representatives: Colonel Bernard Bernstein, Stanley Halperin.

FRIENDS WORLD COMMITTEE FOR CONSULTATION:

Representatives: Elmore Jackson, Spencer Cox.

INDIAN COUNCIL OF WORLD AFFAIRS:

Representative: C. R. Sundaram.

INTER-AMERICAN COUNCIL OF COMMERCE AND PRODUCTION:

Representatives: Noel Sargent, Estrella F. Baldi, Earl Cruickshank.

INTERNATIONAL AIR TRANSPORT ASSOCIATION:

Representatives: Sir William P. Hildred, John C. Cooper.

INTERNATIONAL ASSOCIATION OF PENAL LAW, AND INTERNATIONAL BUREAU FOR THE UNIFICATION OF PENAL LAW:

Representatives: Vespasian V. Pella, Basil Vlavianos, David Avram, Sabin Manuila, Veturia Manuila.

INTERNATIONAL BUREAU FOR THE SUPPRESSION OF TRAFFIC IN WOMEN AND CHILDREN:

Representative: Wanda Grabinska.

INTERNATIONAL CATHOLIC PRESS UNION:

Representative: M. Fink.

INTERNATIONAL COMMITTEE OF SCIENTIFIC MANAGEMENT:

Representative: Elliott Haynes.

INTERNATIONAL CONFERENCE OF CATHOLIC CHARITIES:

Representatives: Msgr. John O'Grady, Beatrice M. Faivre, L. Cornelius Longarzo.

INTERNATIONAL CONFERENCE OF SOCIAL WORK:

Representatives: Joseph P. Anderson, Miss I. de Hurtado, Susan Pettiss.

INTERNATIONAL COUNCIL OF NURSES:

Representatives: Effie J. Taylor, Jeannie Lamotte.

INTERNATIONAL COUNCIL OF WOMEN:

Representatives: Laura Dreyfus-Barney, Eunice Carter, Mrs. Barclay Parsons.

INTERNATIONAL FEDERATION OF BUSINESS AND PROFESSIONAL WOMEN:

Representatives: Esther Hymer, Yvonne Soudan.

INTERNATIONAL FEDERATION OF SETTLEMENTS:

Representatives: Helen Morton, Fern Colborn.

INTERNATIONAL FEDERATION OF UNIVERSITY WOMEN:

Representative: Janet Robb

INTERNATIONAL INSTITUTE OF ADMINISTRATIVE SCIENCES, INTERNATIONAL UNION OF LOCAL AUTHORITIES, AND INTERNATIONAL FEDERATION FOR HOUSING AND TOWN PLANNING:

Representative: Charles S. Ascher.

INTERNATIONAL INSTITUTE OF PUBLIC LAW:

Representative: Rev. J. A. Maynard.

INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN:

Representatives: Max Beer, Roger N. Baldwin.

INTERNATIONAL SOCIETY OF CRIMINOLOGY:

Representative: Gregory Zilboorg.

INTERNATIONAL SOCIETY FOR THE WELFARE OF CRIPPLES:

Representatives: Donald L. Wilson, Norman Acton.

INTERNATIONAL UNION FOR CHILD WELFARE:

Representative: Mary A. Dingman.

INTERNATIONAL UNION FOR THE SCIENTIFIC STUDY OF POPULATION:

Representatives: Louis I. Dublin, Frank Lorimer

LEAGUE OF RED CROSS SOCIETIES:

Representatives: G. Galub, W. St. Aubin.

LIAISON COMMITTEE OF WOMEN'S INTERNATIONAL ORGANIZATIONS:

Representatives: Eunice Carter, Madesin Phillips.

NATIONAL ASSOCIATION OF MANUFACTURERS:

Representatives: Arvid Frank, Addison Parris.

PAX ROMANA:

Representative: Henk Luiten

O.R.T. UNION:

Representative: Jacob Frumkin

ST. JOAN'S INTERNATIONAL SOCIAL AND POLITICAL ALLIANCE:

Representative: Wanda Grabinska.

WORLD FEDERATION FOR MENTAL HEALTH:

Representative: Helen S. Ascher

WORLD JEWISH CONGRESS:

Representative: Maurice L. Perlzweig, Gerhard Jacoby, Mr Hayes.

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM:

Representative: Gladys Walser.

WORLD'S ALLIANCE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS:

Representatives: Owen E. Pence, Paul M. Limbert.

WORLD POWER CONFERENCE:

Representative: Harold C. Dean.

WORLD'S WOMEN'S CHRISTIAN TEMPERANCE UNION:

Representative: Elizabeth Smart.

WORLD'S YOUNG WOMEN'S CHRISTIAN ASSOCIATION:

Representatives: Constance M. Anderson, Marion V. Royce.

WORLD UNION FOR PROGRESSIVE JUDAISM:

Representatives: Ronald Louis Ronalds, Eleanor S. Polstein.

WORLD UNION OF CATHOLIC WOMEN'S ORGANIZATIONS:

Representatives: Catherine Schaefer, Jean Gartlan, Alba Zizzamia.

2. Representatives Serving on Subsidiary **Bodies**
During 1952⁴²

a. **COMMISSION ON HUMAN RIGHTS**
(EIGHTH SESSION)

AUSTRALIA:

Representative: H. F. E. Whitlam (Rapporteur).

BELGIUM:

Representative: F. Dehousse; Alternate: Joseph Nisot.

CHILE:

Representatives: Hernan Santa Cruz; Alternates: Mrs. Ana Figueroa, Carlos Valenzuela, F. J. Oyarzun, Margarita Gallo-Muller.

CHINA:

Representative: Paonan Cheng.

EGYPT:

Representative: Mahmoud Azmi; Alternate: A. Ghorbal.

⁴²Representatives are only given for those of the functional commission which met during 1952.

- FRANCE:
Representative: René Cassin (1st Vice-Chairman);
Alternates: P. Juvigny, B. Epinat.
- GREECE:
Representative: Alexis Kyrou; Alternate: George B.
Kapsambelis.
- INDIA:
Representative: Hansa Mehta (2nd Vice-Chairman);
Alternate: B. Rajan.
- LEBANON:
Representative: Charles Malik (Chairman); Alternate:
Karim Azkoul.
- PAKISTAN:
Representative: A. Waheed.
- POLAND:
Representative: H. Birecki; Alternate: Stefan Bora-
tynski.
- SWEDEN:
Representative: Agda Rossel; Alternate: E. O. L.
Westerberg.
- UKRAINIAN SSR:
Representative: V. P. Kovalenko.
- USSR:
Representative: P. D. Morosov.
- UNITED KINGDOM:
Representative: S. Hoare; Alternates: H. Overton F.
Vallat.
- UNITED STATES:
Representative: Mrs. Franklin D. Roosevelt; Alternate:
James Simsarian.
- URUGUAY:
Representative: Jose A. Mora; Alternates: Darwin
Bracco, Francisco A. Forteza.
- YUGOSLAVIA:
Representative: Branko Jevremovic.
- b. SOCIAL COMMISSION (EIGHTH SESSION)**
- AUSTRALIA:
Representative: F. H. Rowe
- BELGIUM:
Representative: Robert Houben;¹⁴³ Alternate: Charles
Roger.
- BOLIVIA:
Representative: Hugo Navajas-Mogro.
- BRAZIL:
Representative: C. V. Moog (2nd Vice-Chairman).
- BYELORUSSIAN SSR:
Representative: A. S. Polianski.
- CANADA:
Representative: R. B. Curry (1st Vice-Chairman).
- CHINA:
Representative: Yi-Chi Mei; Alternate: C. M. Chang.
- ECUADOR:
Representative: Miguel Albornoz.
- FRANCE:
Representative: Henry Hauck (Chairman); Alternate:
Gerard Amanrich.
- GREECE:
Representative: H. Goutos.
- INDIA:
Representative: Mrs. A. Arayanayakam.
- ISRAEL:
Representative: G. G. Lotan (Rapporteur); Alternate:
Zena Herman.
- NEW ZEALAND:
Representative: Thomas P. Davin.
- PHILIPPINES:
Representative: Salvador P. Lopez; Alternate: Adriano
R. Garcia.
- USSR:
Representative: V. M. Zonov.
- UNITED KINGDOM:
Representative: Sir Oswald Alien.
- UNITED STATES:
Representative: A. J. Altmeyer; Alternate: Miss J.
M. Hoey.
- YUGOSLAVIA:
Representative: G. Vlahov.
- C. COMMISSION ON THE STATUS OF WOMEN
(SIXTH SESSION)**
- BRAZIL:
Representative: Bertha Lutz.
- BURMA:
Representative: Mrs Kyaw Nyein.
- BYELORUSSIAN SSR:
Representative: Mrs Faina Novikova.
- CHILE:
Representative: Mrs Ana Figueroa (1st Vice-Chair-
man)
- CHINA:
Representative: Miss Pao Swen Tseng.
- CUBA:
Alternate: Miss Uldarica Manas.
- DOMINICAN REPUBLIC:
Representative: Mrs Milady Felix de l'Official.
- FRANCE:
Representative: Mrs Marie-Hélène Lefauchaux (Chair-
man).
- IRAN:
Representative: Mrs Safiyeh Firouz.
- LEBANON:
Representative: Mrs Laure Tabet.
- MEXICO:
Representative: Mrs Amalia C. de Castillo Ledon.¹⁴⁴
- NETHERLANDS
Representative: Miss Elizabeth Ribbius Peletier.

¹⁴³ Did not attend session.

¹⁴⁴ Was prevented by illness from attending the

NEW ZEALAND:

Representative: Mrs Grace Hilda Ross.

PAKISTAN:

Representative: Mrs Fida Hassan (Rapporteur).

POLAND:

Representative: Miss Fryderyka Kalinowska (2nd Vice-Chairman).

USSR:

Representative: Mrs Elizavieta Popova.

UNITED KINGDOM:

Representative: Miss Mary Sutherland.¹⁴⁵

UNITED STATES:

Representative: Mrs Olive Remington Goldman.

**d. COMMISSION ON NARCOTIC DRUGS
(SEVENTH SESSION)**

CANADA:

Representative: Colonel C. H. L. Sharman.

CHINA:

Representative: C. L. Hsia.

EGYPT:

Representative: Saleh Abdelrahman Mahmoud.

FRANCE:

Representative: C. Vaillat (Vice-Chairman); Alternate: Gérard Amanrich.

INDIA:

Representative: E. S. Krishnamoorthy.

IRAN:

Representative: Ali Gholi Ardalan; Alternate: Djalal Abdoh.

MEXICO:

Representative: O. Rabasa (Chairman); Alternate: A. Martínez-Lavalle.

NETHERLANDS:

Representative: A. Kruysse.

PERU:

Representative: C. Avalos; Alternate: C. Monge.

POLAND:

Representative: Stefan Boratynski; Alternate: E. Kulaga.

TURKEY:

Representative: C. Or; Alternate: I. Kavadar.

USSR:

Representative: V. V. Zakusov.

UNITED KINGDOM:

Representative: J. H. Walker.

UNITED STATES:

Representative: H. J. Anslinger; Alternate: G. A. Morlock.

YUGOSLAVIA:

Representative: D. Nikolic (Rapporteur).

e. Ad Hoc COMMITTEE ON RESTRICTIVE BUSINESS PRACTICES (FIRST, SECOND AND THIRD SESSIONS)

BELGIUM:

Representative: Emile Thiltges; Alternates: Jacques Houard (1st and 2nd sessions), Robert Faniel (3rd).

CANADA:

Representative: T. D. MacDonald (1st and 3rd); A. S. Whiteley (2nd); Alternate: A. S. Whiteley (1st).

FRANCE:

Representative: Philippe de Seynes; Alternate: M. Kojive (1st).

INDIA¹⁴⁶

Representative: Arthur Samuel Lall; Alternate: M. J. Oza.

MEXICO:

Representative: Armando Amador (1st and 2nd), Gonzalo Mora Ortiz (3rd).

PAKISTAN:

Representative: A. A. Farooq (1st), M. H. Farukhi (2nd), G. Aziz Ahmad (3rd).

SWEDEN:

Representative: Ingvar Svennilson (1st and 3rd), Baron Goran von Otter (2nd); Alternates: Baron Goran von Otter (1st), C. Olsson (3rd).

UNITED KINGDOM:

Representative: R. Burns (1st), P. Harris (2nd and 3rd); Alternate: A. D. Neale.

UNITED STATES:

Representative: Corwin D. Edwards; Alternates: Joseph A. Greenwald (3rd), Donald Blaisdell (3rd).

URUGUAY:

Representative: Juan Felipe Yriart (1st and 2nd); Observer: Francisco Dominguez (3rd).

D. THE TRUSTEESHIP COUNCIL

(1) Delegations to the Council

a. TENTH SESSION

MEMBERS OF THE COUNCIL

AUSTRALIA:

Representative: W. D. Forsyth; Alternate: Roy Albert Peachey.

BELGIUM:

Representative: Pierre Ryckmans; Alternate: Robert Scheyven.

CHINA:

Representative: Shih-Shun Liu; Alternate: Yu-Wan Liu.

DOMINICAN REPUBLIC:

Representative: Max Henríquez-Ureña; Alternates: Joaquin Salazar, Enrique de Marchena, Miss Minerva Bernardino.

EL SALVADOR:

Representative: Miguel Rafael Urquía; Alternates: Carlos Serrano Garcia, Rafael Eguizábal, Roberto E. Quiros.

FRANCE:

Representative: Leon Pignon; Alternates: Pierre Ordonneau, Francis Huré.

IRAQ:

Representative: Awni Khalidy.

¹⁴⁵ Represented by alternate, J. G. S. Beith, permanent representative of the United Kingdom to the European Office of the United Nations, at the first seven meetings.

¹⁴⁶ Was not represented at third session.

NEW ZEALAND:

Representative: Leslie Knox Munro; Alternates: G. R. Laking, Thomas P. Davin, J. V. Scott.

THAILAND:

Representative: Prince Wan Waithayakon; Alternate: Mom Chao Dilokrit Kridakon.

USSR:

Representative: Aleksander A. Soldatov.

UNITED KINGDOM:

Representative: Sir Alan Cuthbert Burns; Alternate: W. A. C. Mathieson.

UNITED STATES:

Representative: Francis B. Sayre.

NON-MEMBER OF THE UNITED NATIONS
AND NON-MEMBER OF THE
TRUSTEESHIP COUNCIL

ITALY:¹⁴⁷

Representative: Gastone Guidotti; Alternates: Guerino Roberti, Giuseppe Brigidi.

SPECIAL REPRESENTATIVES OF
ADMINISTERING AUTHORITIES

AUSTRALIA:

J. R. Halligan (for the Trust Territories of New Guinea and Nauru).

NEW ZEALAND:

J. B. Wright (for the Trust Territory of Western Samoa).

UNITED STATES:

Elbert D. Thomas (for the Trust Territory of the Pacific Islands).

REPRESENTATIVES OF SPECIALIZED
AGENCIES

INTERNATIONAL LABOUR ORGANISATION
(ILO) :

Representative: R. A. Métall; Alternate: A. A. P. Dawson.

FOOD AND AGRICULTURE ORGANIZATION OF
THE UNITED NATIONS (FAO):

Representatives: Alicia Banos, Harold A. Vogel.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION (UNESCO):

Representative: Solomon V. Arnaldo.

WORLD HEALTH ORGANIZATION (WHO):

Representatives: P. M. Kaul, Mabel S. Ingalls, George E. Hill, II.

b. ELEVENTH SESSION

MEMBERS OF THE COUNCIL

AUSTRALIA:

Representative: W. D. Forsyth; Alternates: A. H. Loomes, Roy Albert Peachey.

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, Minerva Bernardino.

EL SALVADOR:

Representative: Miguel Rafael Urquía; Alternates: Carlos Serrano-García, Roberto E. Quiros, Rafael Eguizabal.

FRANCE:

Representative: Leon Pignon; Alternates: Pierre Ordoneau, Francis Huré.

IRAQ:

Representative: Awni Khalidy.

NEW ZEALAND:

Representative: Leslie Knox Munro; Alternates: G. R. Laking, Thomas P. Davin, J. V. Scott.

THAILAND:

Representative: Mom Chao Dilokrit Kridakon; Alternate: Mom Chao Jotisi Devakul.

USSR:

Representative: Aleksander A. Soldatov.

UNITED KINGDOM:

Representative: Sir Alan Cuthbert Burns; Alternate: W. A. C. Mathieson.

UNITED STATES:

Acting Representative: Benjamin Gerig.

MEMBERS OF THE UNITED NATIONS
NON-MEMBERS OF THE TRUSTEESHIP
COUNCIL

COLOMBIA:¹⁴⁸

Representative: Edmundo de Holte-Castello.

EGYPT:¹⁴⁸

Representative: Salah El Din Fadel

PHILIPPINES:¹⁴⁸

Representatives: Victorio D. Carpio, Vicente Pastrana.

NON-MEMBER OF THE UNITED NATIONS
AND NON-MEMBER OF THE TRUSTEESHIP
COUNCIL

ITALY:¹⁴⁹

Representative: Gastone Guidotti; Alternates: Guerino Roberti, Giuseppe Brigidi.

SPECIAL REPRESENTATIVES OF
ADMINISTERING AUTHORITIES

BELGIUM:

Pierre Leroy (for the Trust Territory of Ruanda-Urundi) .

¹⁴⁷ Italy, through not a Member of the United Nations, as the Administering Authority of the Trust Territory of Somaliland participated without vote in the Council's discussions concerning that Territory and concerning general questions affecting the operation of the International Trusteeship System.

¹⁴⁸ States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration.

¹⁴⁹ Administering Authority of the Trust Territory of Somaliland.

FRANCE:

Charles Marie Watier (for the Trust territory of the Cameroons under French administration); René Doise (for the Trust Territory of Togoland under French administration).

ITALY:

Pier Pasquale Spinelli (for the Trust Territory of Somaliland under Italian administration).

UNITED KINGDOM:

J. E. S. Lamb (for the Trust Territory of Tanganyika); Brigadier E. J. Gibbons (for the Trust Territory of the Cameroons under British administration); Michael de Normann Ensor (for the Trust Territory of Togoland under British administration).

REPRESENTATIVES OF SPECIALIZED AGENCIES

INTERNATIONAL LABOUR ORGANISATION (ILO):

Representative: R. A. Métall.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

Observer: E. H. Jacoby.

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Representatives: Solomon V. Arnaldo, Marcel Desombes.

WORLD HEALTH ORGANIZATION (WHO):

Representative: Mabel S. Ingalls.

ANNEX II. CHANGES IN RULES OF PROCEDURE OF THE PRINCIPAL ORGANS

A. THE ECONOMIC AND SOCIAL COUNCIL¹⁵⁰

I. SESSIONS

Rule 1

The Economic and Social Council shall normally hold two regular sessions a year.

Rule 2

Each regular session shall be held, subject to the provisions of rule 3, at a date fixed by the Council at a previous session. The date of the opening of the first regular session of the year shall be fixed as nearly as administratively practicable to the first Tuesday in April. The date of the second regular session of the year shall be fixed as late as administratively practicable before the opening of the regular session of the General Assembly, and shall be adjourned at least six weeks before it. This session shall be resumed during or shortly after the regular session of the General Assembly for a brief series of meetings.

Rule 4

Special sessions shall be held by decision of the Council, or at the request of:

- (1) A majority of the members of the Council;
- (2) The General Assembly;
- (3) The Security Council.

The Council shall also hold a special session at the request of the Trusteeship Council, any Member of the United Nations or a specialized agency, if the President of the Council and the two Vice-Presidents agree to the request. If the officers have not notified their agreement to the Secretary-General within four days of the receipt of the request, the President shall forthwith inform the other members of the Council, through the Secretary-General, of the request and shall inquire whether or not they support the request for a session. If within eight days of the inquiry, a majority of the members of the Council explicitly concurs in the request, the President will convene the Council accordingly.

Special sessions will be convened within six weeks of receipt by the President of a request for such a session at a date fixed by the President.

Rule 6

Each session shall be held at United Nations Headquarters, unless, in pursuance of a previous decision of the Council or at the request of a majority of its members, another place is designated for the whole or part of the session.

II. AGENDA

Rule 9

In the course of meetings held during or shortly after the regular session of the General Assembly as provided in rule 2, the Council shall work out, with the assistance of the Secretary-General, the basic programme of its activities for the following year.

Rule 10

1. The Secretary-General shall draw up and submit to the Council at each regular session the provisional agenda for the following regular session. The provisional agenda shall include all items proposed by:

- (a) The Council;
- (b) The General Assembly;
- (c) The Security Council;
- (d) The Trusteeship Council;
- (e) A Member of the United Nations;
- (f) The Secretary-General;
- (g) A specialized agency.

2. Non-governmental organizations in category A may propose to the Council Committee on Non-Governmental Organizations that the Committee request the Secretary-General to place items of special interest to the organizations on the provisional agenda of the Council.

The Council Committee on Non-Governmental Organizations, in considering a request from a non-governmental organization in category A that an item be placed on the provisional agenda of the Council, shall take into account:

- (a) The adequacy of the documentation submitted by the organization;
- (b) The extent to which it is considered that the item lends itself to early and constructive action by the Council; and
- (c) The possibility that the item might be more appropriately dealt with elsewhere than in the Council.

Any decision by the Committee not to grant a request submitted by a non-governmental organization that an item be placed on the provisional agenda of the Council shall be considered as final.

¹⁵⁰ Only the rules which have been changed or amended are given in this annex. For purposes of convenience, the new numbers of the former rules (E/1662) have been indicated in square brackets. The rules which have not been amended or re-numbered are not listed here.

Rule 11

The agenda for each regular session shall include as an item the consideration of the provisional agenda for the following regular session of the Council. At each regular session the Council shall give consideration to such provisional agenda in the light of the basic annual programme referred to in rule 9, and shall consider the grouping of related items and fix the approximate dates at which the consideration of such groups of items shall begin.

Rule 12

After the Council has considered the provisional agenda for its following regular session, the provisional agenda, incorporating any amendments made by the Council, shall be communicated by the Secretary-General to the Members of the United Nations, the President of the Security Council, the President of the Trusteeship Council, the specialized agencies and the non-governmental organizations in categories A and B and on the Register.

Rule 13

The inclusion of supplementary items in the provisional agenda considered by the Council under rule 11 may be proposed by the General Assembly, the Security Council, the Trusteeship Council, a Member of the United Nations, the Secretary-General, a specialized agency or a non-governmental organization, in accordance with the procedure provided in paragraph 2 of rule 10. The request for inclusion of a supplementary item shall be accompanied by a supporting statement from the authority proposing it, except in the case of the General Assembly, the Security Council or the Trusteeship Council, regarding the urgency of the consideration of the item and the reasons which precluded its submission before the consideration by the Council of the provisional agenda as provided in rule 11. The supplementary items shall be placed by the Secretary-General on a supplementary list and communicated to the Council together with the supporting statements and such observations as the Secretary-General may wish to offer, including observations regarding the session of the Council at which the items might be taken up.

Rule 14

1. At the beginning of each regular session, subject to the provisions of rule 17 and after the election of officers when required under rule 20, the Council shall adopt its agenda for the session, on the basis of the provisional agenda and the supplementary list referred to in rule 13.

2. An organ of the United Nations, a Member of the United Nations or a specialized agency which has requested the inclusion of an item in the provisional agenda or the supplementary list shall be entitled to be heard by the Council, or by a committee appointed by it for the purpose, on the inclusion of the item in the agenda for the session.

3. In the case of an item placed on the provisional agenda or the supplementary list, at the request of the Council Committee on Non-Governmental Organizations under paragraph 2 of rule 10 or rule 13, the non-governmental organization which proposed the item to that Committee shall be entitled to be heard by the Council or by a committee appointed by it for the purpose, on the inclusion of the item of the agenda for the session.

4. The Council shall normally include in its agenda for the session only items for which adequate documentation has been circulated to members six weeks before the beginning of the session of the Council.

Rule 15

The Council shall allocate items between the plenary Council and committees, and may refer items without preliminary debate in the Council to:

(a) A specialized agency with the proviso that the specialized agency shall report at a subsequent session of the Council;

(b) One or more of its commissions, for examination and report at a subsequent session of the Council;

(c) The Secretary-General, for study and report at a subsequent session of the Council; or

(d) The proposer of the item, for further information or documentation.

Rule 16

The provisional agenda for a special session shall consist only of those items proposed for consideration in the request for the holding of the session, subject, when appropriate, to rule 20. It shall be transmitted to the authorities mentioned in rule 12 at the same time as the notice convening the Council.

Rule 17 [formerly rule 16]

During a session, the Council may revise the agenda for the session by adding, deleting, deferring or amending items. Only urgent and important items shall be added to the agenda of the Council during the session. The Council may refer to a committee any request for inclusion of an item in the agenda for the session.

[Former rules 17 to 32 are now numbered 18 to 33.]

VI. SECRETARIAT

Rule 34 [formerly rule 33]*

1. The Secretary-General shall circulate to the Council for its information at the beginning of its session immediately preceding the regular session of the General Assembly, an analysis, by fields of activity and by budget sections, of the estimated cost for the following financial year of the economic and social activities of the United Nations, prepared as an annex to his budget estimates.

2. Before a proposal which involves expenditure from United Nations funds is approved by the Council or by any of its committees, the Secretary-General shall prepare and circulate to members, as early as possible, a separate estimate of the cost involved in each such proposal. In the case of a proposal involving a new project, he shall also circulate to the members an estimate of the time required to complete it. The President of the Council and chairmen of committees shall draw the attention of members to these estimates and invite discussions on them when the proposal is considered by the Council or by a committee.

* Rule 34 (formerly rule 33), together with resolution 456 B (XIV), was adopted by the Council on 22 July 1952 (see E/SR.654). However, no decision was taken with respect to the coming into force of this rule.

3. The Council shall take into account the estimates referred to in paragraph 2 before adopting any proposal involving expenditure from United Nations funds. If the proposal is adopted, the Council shall indicate, whenever appropriate, the priority or degree of urgency which it attaches to the projects and as the case may be which current projects may be deferred, modified or eliminated to ensure that the economic and social work of the United Nations and the specialized agencies will be carried on most effectively.

4. Whenever the Council wishes to recommend, in cases of exceptional urgency, the work, for which no financial provision exists, be started before the next regular session of the General Assembly, it shall include a specific indication to that effect to the Secretary-General in the resolution approving the proposal.

[Former rules 34 to 41 are now numbered 35 to 42]

IX. RECORDS

Rule 43 [formerly rule 42]

Summary records of public meetings of the Council, its committees and subsidiary bodies shall be prepared by the Secretariat. They shall be distributed in provisional form as soon as possible to all members of the Council and any others participating in the meeting, who may, within three working days of their receipt by delegations and others participating in the meeting submit corrections to the Secretariat. Any disagreement concerning such corrections shall be decided by the President of the Council, or by the chairman of the committee or subsidiary body to which the record relates, after consulting, upon request of the representative concerned, the sound records of the proceedings. At the end of sessions and in other special circumstances, the President may, in consultation with the Secretary-General, on giving previous notice, extend the time for submitting corrections.

The summary records, with any such corrections incorporated, shall be distributed promptly to the members of the Council, to other Members of the United Nations and to the specialized agencies. Separate corrigenda shall not normally be issued. The summary records may be consulted by the public on publication.

Rule 44

The records of private meetings of the Council, its committees and subsidiary bodies, shall be distributed promptly to the members of the Council and any other Members of the United Nations participating in the meeting. They shall be made available to the other Members of the United Nations upon decision of the Council. They may be made public at such time and under such conditions as the Council may decide.

Rule 46 [formerly rule 43]

Sound records of the meetings of the Council and of its committees of the whole shall be kept by the Secretariat.

[Former rules 46 to 76 are now numbered 47 to 77.]

XV. PARTICIPATION OF AND CONSULTATION WITH SPECIALIZED AGENCIES

[former rule 77 is now numbered 78.]

Rule 79 [formerly rule 12]

Text of former rule 12 without change.

Rule 80 [new rule]

1. Where an item proposed for the provisional agenda or the supplementary list of items for a session contains a proposal for new activities to be undertaken by the United Nations relating to matters which are of direct concern to one or more specialized agencies, the Secretary-General shall enter into consultation with the agency or agencies concerned and report to the Council on the means of achieving co-ordinated use of the resources of the respective agencies.

2. Where a proposal put forward in the course of a meeting for new activities to be undertaken by the United Nations relates to matters which are of direct concern to one or more specialized agencies, the Secretary-General shall, after such consultation as may be possible with the representatives at the meeting of the other agency or agencies concerned, draw the attention of the meeting to these implications of the proposal.

3. Before deciding on proposals referred to above, the Council shall satisfy itself that adequate consultations have taken place with the agencies concerned.

Rule 81 [new rule]

Where items are placed on the provisional agenda or the supplementary list of items for a session with a view to the adoption of an international convention, the Secretary-General shall, at the same time as he is requesting governments for their comments on the proposed convention, consult the specialized agencies in respect of any provision of the proposed convention which affects the activities of such agencies and the comments of such agencies shall be brought before the Council, together with the comments received from governments.

[Former rules 78 to 85 are now numbered 82 to 89]

B. THE TRUSTEESHIP COUNCIL¹⁵¹

Rule 19

The Trusteeship Council shall elect, at the beginning of its regular session in June, a President and a Vice-President from among the representatives of the members of the Trusteeship Council.

Rule 24

The Secretary-General shall transmit promptly to the members of the Trusteeship Council all communications which may be addressed to the Council from Members and organs of the United Nations and from specialized agencies. The Secretary-General shall also circulate promptly to the members of the Council communications from other sources, except those which are manifestly inconsequential, if they relate to the activities of the Trusteeship Council. Such communications shall be transmitted in full, unless their length precludes this, in which case the procedure set forth in paragraph 3 of rule 85 shall apply.

Rule 39

The Trusteeship Council shall vote by show of hands except that, before a vote is taken, any representative

¹⁵¹ For complete text of the rules of procedure, see United Nations Document T/1/Rev.3, Rules of Procedure of the Trusteeship Council as amended up to and during its eleventh session (New York 1952). (U.N.P., Sales No.: 1952.I.19.)

of a member may request a roll-call, which shall then be taken in the English alphabetical order of the names of the members of the Trusteeship Council, beginning with the member of the Trusteeship Council whose name is drawn by lot by the President. The name of each member shall be called and the representative shall reply "Yes", "No" or "Abstention". The result of the voting shall be inserted in the record in the English alphabetical order of the names of the members.

Rule 41

The election of the President and Vice-President of the Trusteeship Council shall be taken by secret and separate ballot. The Council may decide that the election to any other office or function established by the Council shall also be taken by secret ballot.

Rule 72

1. The annual report of an Administering Authority prepared on the basis of the questionnaire formulated by the Trusteeship Council shall be submitted to the Secretary-General within six months from the termination of the year to which it refers.

2. Each report of an Administering Authority shall be considered by the Trusteeship Council at the first regular session following the expiration of six weeks from the receipt of the report by the Secretary-General, unless the Administering Authority concerned shall agree to an earlier examination of the report.

3. The Secretary-General shall transmit these reports without delay to the members of the Trusteeship Council.

Rule 84

1. Representatives of the Trusteeship Council engaged in periodic visits to Trust Territories or on other official missions authorized by the Council, may accept written petitions, subject to such instructions as may have been received from the Trusteeship Council. Petitions of this kind shall be transmitted promptly to the Secretary-General for circulation to the members of the Council. A copy of each such petition shall be communicated to the competent local authority. Any observations which the visiting representatives may wish to make on the petitions, after consultation with the local representative of the Administering Authority, shall be submitted to the Trusteeship Council.

2. The visiting mission shall decide which of the communications it receives are intended for its own information and which of these are petitions to be transmitted to the Secretary-General, pursuant to paragraph 1 of this rule, to be dealt with in accordance with rules 85, 86 and 90.

Rule 85

1. The Secretary-General shall circulate promptly to the members of the Trusteeship Council all written petitions received by him which contain requests, complaints and grievances seeking action by the Trusteeship Council.

2. 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.

3. In the case of lengthy petitions, the Secretary-General will first circulate a summary of the petition, the original petition being made available to the Trusteeship Council. The original petition, however, will be circulated if the President of the Trusteeship Council, during the recess of the Council, or the Council, if it is in session, so decides.

4. The Secretary-General shall not circulate petitions which are manifestly inconsequential, a list of which, with a summary of their contents, shall be communicated to the members of the Trusteeship Council.

5. With respect to petitions relating to a strategic area, the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship Agreement.

Rule 86

1. Written petitions will normally be placed on the agenda of a regular session provided that they shall have been received by the Administering Authority concerned either directly or through the Secretary-General at least two months before the date of the next following regular session.

2. The date of receipt of a petition shall be considered as being:

(a) In respect of a petition which is presented through the Administering Authority, the date on which the petition is received by the competent local authority in the Territory or the metropolitan Government of the Administering Authority, as the case may be, and

(b) In respect of a petition received by a visiting mission the date on which the copy of the petition is communicated to the local authority in accordance with rule 84;

(c) In respect of a petition not presented through the Administering Authority, the date on which the petition is received by the Administering Authority through the Secretary-General. The Administering Authority concerned shall immediately notify the Secretary-General of the date of receipt of all such petitions.

3. In cases where the Administering Authority may be prepared to consider a written petition at shorter notice than is prescribed by the foregoing rules, or where, in exceptional cases, as a matter of urgency, it may be so decided by the Trusteeship Council in consultation with the Administering Authority concerned, such written petition may be placed on the agenda of a regular session notwithstanding that it has been presented after the due date, or it may be placed on the agenda of a special session.

4. The Administering Authority concerned shall, whenever possible, submit written observations on the petitions referred to in paragraph 1 of rule 85 within two months after the date of receipt. In the case of other petitions and communications upon which a decision is taken pursuant to paragraph 3 of rule 90, to apply the established procedures concerning petitions, the Administering Authority concerned, whenever possible, shall submit written observations within two months of the date of such decision.

Rule 90

1. The Trusteeship Council shall establish a Standing Committee on Petitions of six members to undertake a preliminary examination of all written petitions and

such oral petitions as may be referred to it by the Council in accordance with rule 80. The Council shall appoint at the end of each regular session three members administering Trust Territories and three members having no administering responsibilities to serve on the Standing Committee on Petitions until the close of the following regular session.

2. The Standing Committee on Petitions shall meet during sessions of the Council and, whenever it considers necessary, between sessions, normally approximately one month before each regular session of the Council.

3. The Standing Committee on Petitions shall decide which, if any, of the petitions referred to in paragraph 2 of rule 85 and the communications circulated pursuant to rule 24 shall have the established procedure concerning petitions applied to them. However, the Trusteeship Council may review the decision of the Standing Committee and decide that any of the petitions referred to in paragraph 2 of rule 85 and any of the communications circulated pursuant to rule 24 shall have the established procedure concerning petitions applied to them.

4. The Standing Committee on Petitions meeting between sessions may conduct, in consultation with the representative of the Administering Authority concerned, a preliminary examination of those petitions on which written observations by the Administering Authority are available, or which have been received by the Admin-

istering Authority at least two months previous to the date of the meeting of the Committee at which the examination is to be conducted. In particular it may formulate any questions to be submitted to the Administering Authority, or to the special representative, and may instruct the Secretariat to carry out studies or undertake such preparatory work as the Standing Committee may deem necessary. The Standing Committee on Petitions shall complete, whenever possible, its preliminary examination of petitions which the Administering Authority has agreed to have examined without the presence of a special representative.

5. The Standing Committee shall make a report to the Trusteeship Council on each petition to which the established procedure on petitions has been applied, together with its recommendations as to the action to be taken by the Trusteeship Council in each case. The Standing Committee shall also make such recommendations as it deems necessary concerning the consideration by the Council of the petitions referred to in paragraph 2 of rule 85 and the communications circulated pursuant to rule 24.

6. The Standing Committee on Petitions shall submit recommendations to the Trusteeship Council specifying petitions in respect of which special information on the action taken on the recommendations of the Trusteeship Council by the Administering Authority concerned is not required.

ANNEX III. STATES ACCEPTING THE COMPULSORY JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE

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 1952:

AUSTRALIA	COLOMBIA	HAITI
BELGIUM	DENMARK	HONDURAS
BOLIVIA	DOMINICAN	INDIA
BRAZIL	REPUBLIC	ISRAEL
CANADA	EL SALVADOR	LIBERIA
CHINA	FRANCE	LIECHTENSTEIN

LUXEMBOURG	PAKISTAN	THAILAND
MEXICO	PANAMA	UNION OF SOUTH
NETHERLANDS	PARAGUAY ¹⁵²	AFRICA
NEW ZEALAND	PHILIPPINES	UNITED KINGDOM
NICARAGUA	SWEDEN	UNITED STATES
NORWAY	SWITZERLAND	URUGUAY

Most of these declarations are for a specified period¹⁵³ and are made on condition of reciprocity; most of them have reservations attached.¹⁵⁴

In 1952 the only new declaration accepting the compulsory jurisdiction of the Court was that of Liberia, signed on 3 March, subject to ratification. Certain reservations were attached to the declaration, which was deposited on 20 March.¹⁵⁵

ANNEX IV. ORGANIZATIONS AUTHORIZED TO REQUEST ADVISORY OPINIONS FROM THE INTERNATIONAL COURT OF JUSTICE

By the end of 1952 the following organizations 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

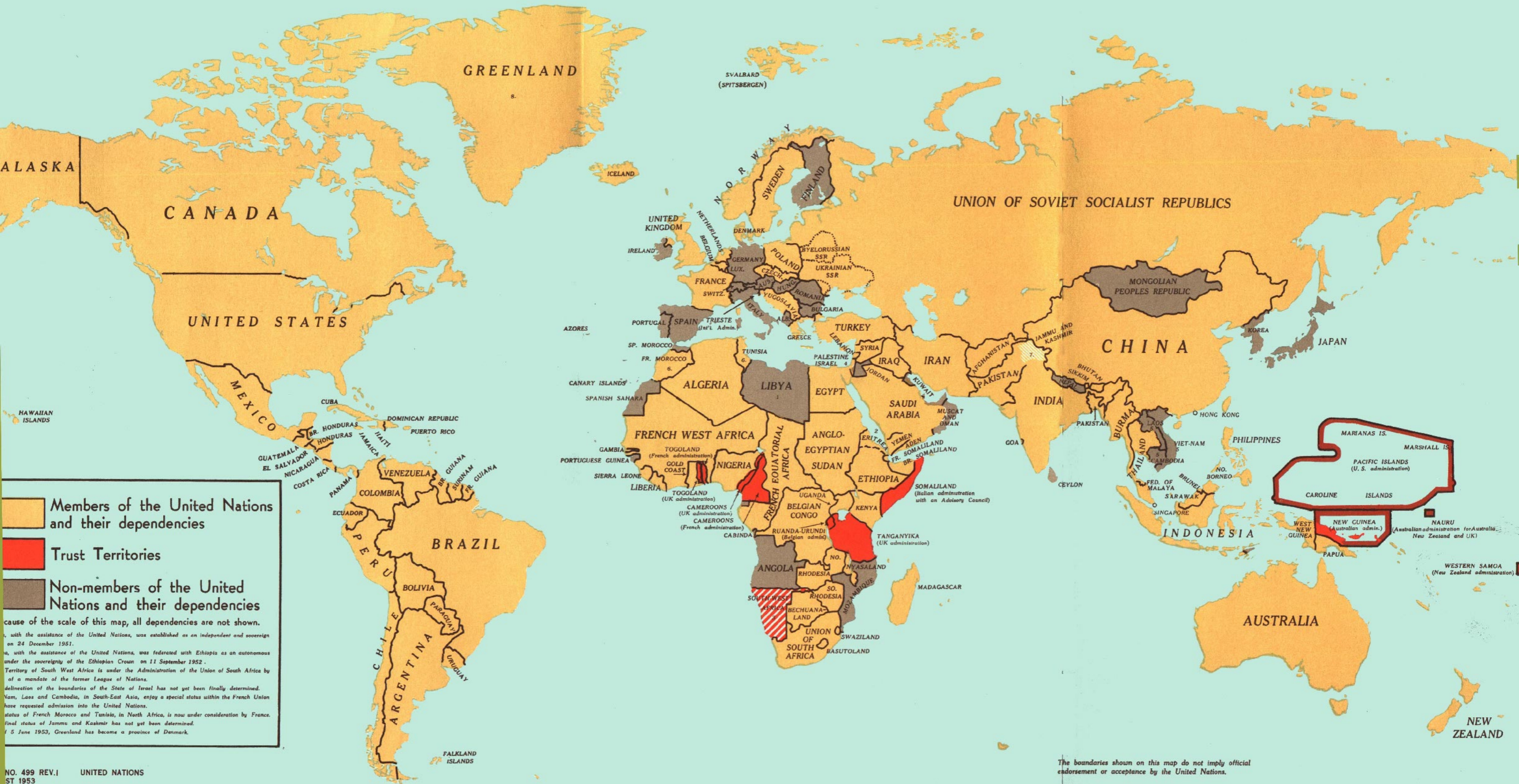
¹⁵² Paraguay's declaration was made without limitation of duration. It was withdrawn by Paraguay by a decision of 26 April 1938.

¹⁵³ For duration of declarations, see Y.U.N., 1950, pp. 123-24.

¹⁵⁴ For details concerning declarations, including conditions, see I.C.J. Yearbook, 1951-1952, pp. 186-197.

¹⁵⁵ This declaration was ratified in 1953.

MEMBERS OF THE UNITED NATIONS AND THEIR DEPENDENCIES*, AND TRUST TERRITORIES AS OF 31 DECEMBER 1952



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.
 ... delineation of the boundaries of the State of Israel has not yet been finally determined.
 ... Yam, 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.
 ... 5 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.

ANNEX V. PRINCIPAL MEMBERS OF THE UNITED NATIONS SECRETARIAT
(As OF 31 DECEMBER 1952)

Secretary-General: Trygve Lie¹⁵⁶

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 Rehman

DEPARTMENT OF POLITICAL AND
SECURITY COUNCIL AFFAIRS

Assistant Secretary-General: Constantin E. Zinchenko¹⁵⁷
Principal Director: Dragoslav Protitch¹⁵⁷
Director of General Political Division: Alfonso Garcia Robles
Director of Disarmament Affairs Group: Petrus J. Schmidt¹⁵⁸

DEPARTMENT OF ECONOMIC AFFAIRS

Assistant Secretary-General: Guillaume Georges-Picot¹⁵⁹
Principal Director: Roy Blough
Director of Division of Economic Stability and Development: David Weintraub¹⁶⁰
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 Vakil¹⁶¹

ECONOMIC COMMISSION FOR EUROPE

Executive Secretary: Gunnar Myrdal

ECONOMIC COMMISSION FOR ASIA
AND THE FAR EAST

Executive Secretary: P. S. Lokanathan

ECONOMIC COMMISSION FOR
LATIN AMERICA

Executive Secretary: Raul Prebisch

TECHNICAL ASSISTANCE
ADMINISTRATION

Director-General: Hugh L. Keenleyside
Deputy Director-General: Gustavo Martínez Cabanas
Director of Co-ordination and Planning: Arthur Goldschmidt
Director of Operations: George W. Cadbury
Director of Public Administration Division: H. J. Van Mook

DEPARTMENT OF SOCIAL AFFAIRS

Assistant Secretary-General: Guillaume Georges-Picot¹⁶²
Principal Director: Hussein Mohammed Asfahany
Director of Division of Human Rights: John P. Humphrey
Acting Director of Division of Narcotic Drugs: Gilbert Yates
Director of Population Division: P. K. Whelpton
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

¹⁵⁶ Dag Hammarskjöld was formally installed as the second Secretary-General at the 426th plenary meeting of the General Assembly, held on 10 April 1953.

¹⁵⁷ The Secretary-General on 26 May 1953 announced that he had accepted the resignation of Mr. Zinchenko. At the same time, it was announced that the Secretary-General had appointed Ilya S. Tchernychev to complete Mr. Zinchenko's unfinished term of office which expires on 1 February 1954.

During the absence of Mr. Zinchenko from 9 July 1952 until the arrival of Mr. Tchernychev on 30 June 1953, D. Protitch has been in charge of the Department. D. Protitch is also in charge of the Administrative and General Division.

¹⁵⁸ Following the establishment of the Disarmament Affairs Group in March 1952, Petrus J. Schmidt, Chief of the European Affairs Section of the Department, was appointed Director of this Group. Mr. Schmidt died in December 1952, and his post had not been filled by the end of the year.

¹⁵⁹ The Secretary-General on 18 June 1952 announced that David Owen, Assistant Secretary-General in charge of the Department of Economic Affairs, would assume the Executive Chairmanship of the Technical Assistant Board on 1 August, and that Guillaume Georges-Picot, Assistant Secretary-General in charge of the Department of Social Affairs would, as of the same date, head the Department of Economic Affairs.

¹⁶⁰ David Weintraub resigned on 6 January 1953.

¹⁶¹ Mehdi Vakil formally assumed his duties on 1 January 1953. Previously Gilbert Yates had been Secretary of the Council.

¹⁶² Guillaume Georges-Picot is also the head of the Department of Economic Affairs.

Deputy Director of Press and Publications Bureau: Henri Fast
 Director of Radio Division: Peter Ayles
 Deputy Director of Radio Division: Carlos Garcia-Palacios
 Director of Films and Visual Information Division: Jan Gunnar Lindstrom
 Acting Director of Special Services: William Agar

BELGRADE—Director: Milan Hofman
 BUENOS AIRES—Director: Marco Gandasegui
 CAIRO—Director: Rahat Bokhari
 COPENHAGEN—Director: Viggo A. Christensen
 GENEVA—Director: Jerzy Szapiro
 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: Olav Rytter
 RIO DE JANEIRO—Director: Paul Vanorden Shaw
 SHANGHAI—Officer-in-Charge: Mrs. Elizabeth Tong
 SYDNEY—Director: Vernon Duckworth-Barker
 TEHERAN—Director: Abdollah Faryar
 WASHINGTON—Director: Arthur Sweetser

LEGAL DEPARTMENT

Assistant Secretary-General:¹⁶³
 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
 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
 Director of Publishing Division: David Zablodowsky¹⁶⁴
 Director of Buildings Management Service: Frank M. Begley

ADMINISTRATIVE AND FINANCIAL SERVICES

Assistant Secretary-General: Byron Price
 Executive Officer: Bruce R. Turner
 Co-ordinator of Construction, Headquarters Planning Office: James A. Dawson
 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
 Principal Director of Bureau of Finance: Hans C. Ander-

UNITED NATIONS OFFICE AT GENEVA

Director Representing the Secretary-General: Adrian Pelt

UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

HEADQUARTERS

Executive Director: Maurice Pate
 Deputy Executive Director: Eric J. R. Heyward
 Chief Executive Officer: Karl Borders
 Chief Medical Adviser: Dr. B. Borcic (WHO)
 Chief, Administrative Division: John T. Birkhead
 Comptroller: Stanley Sroka
 Chief of Programme Division: Myron Schmittlinger
 Chief of Supply Division: Edmund T. Bridgewater
 Chief of Public Information Division: 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

Executive Chairman: David Owen
 Director of Programme Office: William McCaw
 Executive Secretary: Manuel Perez-Guerrero
 Special Representative of the Executive Chairman: James Keen

FIELD PERSONNEL

Acting Resident Representative (Haiti): Raoul Aglion
 Special Representative in Latin America (Uruguay, Paraguay, Argentina): Miguel A. Albornoz

Ivan S. Kerno, first Assistant Secretary-General, retired on 26 September 1952.

¹⁶⁴ Resigned 7 January 1953.

Resident Representative (Ceylon): J. P. Bannier
 Resident Representative (Afghanistan): Philip Beck
 Resident Representative (Israel): Sune L. Carlson
 Representative (Yugoslavia): Myer Cohen
 Resident Representative (Iran): Marcel DeBaer
 Resident Representative (Philippines): William Ellis
 Resident Representative (Colombia and Ecuador): Raymond P. Etchats
 Special Representative (Bolivia): Carter Goodrich
 Resident Representative (Pakistan): Sir A. MacFarquhar
 Liaison Officer (Australia and New Zealand): John R. Minter
 Resident Representative (Libya): Thomas F. Power, Jr.
 Resident Representative (Indonesia): John S. Reid
 Acting Resident Representative (Burma): J. P. B. Ross
 Liaison Officer in Beirut (Lebanon, Jordan, Iraq, Syria): C. W. Schuller
 Resident Representative (Burma): Francis R. Scott
 Resident Representative (India): Leon Steinig
 Resident Representative (Haiti): A. J. Wakefield
 Resident Representative (Turkey): Milton Winn
 Liaison Officer (Greece): Frederick Wormald

UNITED NATIONS KOREAN RECONSTRUCTION AGENCY

NEW YORK HEADQUARTERS

Agent-General: J. Donald Kingsley
 General Counsel: Alfred Davidson
 Assistant Agent-General and Chief of Division of Supply: John Goodison
 Director of Bureau of Finance and Services: Clyde Hysong
 Comptroller and Chief of Division of Finance: James McLean
 Director of Office of Public Information: Donald Pryor
 Director of Office of Budget and Management: Richard Youdin
 Chief of Division of General Services: Reginald Parminter

KOREA-HEADQUARTERS: KOREA

Director of Bureau of Rural Services: Donald Faris
 Chief of Division of Food and Agriculture: Burlin Hamer
 Executive Officer, Office of Chief of Mission: Thomas Jamieson
 Special Assistant, Office of Chief of Mission: Charles Lloyd
 Executive Officer, Office of Chief of Mission: Bert Sampson
 Deputy Chief, Office of Chief of Mission: William Shaughnessy
 Chief of Mission: John Wood

KOREA-UNCAACK

Advisor to the Bank of Korea: Prayad Buranasiri

TOKYO LIAISON AND PROCUREMENT OFFICE

Deputy Agent-General: Sir Arthur Rucker
 Chief of Bureau of Programme Planning: Russell McClure

GENEVA LIAISON AND PROCUREMENT OFFICE

Chief of Office: J. Franklin Ray

WASHINGTON LIAISON AND PROCUREMENT OFFICE

Chief of Office: John Coulter

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Director: John B. Blandford, Jr.
 Deputy-Director: Leslie J. Carver

II. Political and Security Questions

A. THE QUESTION OF KOREA¹

This chapter deals with: (1) reports of the United Nations Command in Korea submitted under the Security Council resolution of 7 July 1950;² as well as a special report to the General Assembly on the status of armistice negotiations (A/1882); (2) other communications relating to the Korean question; (3) the report (A/2187) of the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK); (4) consideration by the General Assembly of the Korean question at the first part of its seventh session in 1952; (5) discussion at that session of the item "Complaint of mass murder of Korean and Chinese prisoners of war by the United States military authorities on the island of Pongam"; and (6) the report (A/2222 and Add.1 and 2) of the Agent-General of the United Nations Korean Reconstruction Agency (UNKRA).

Consideration of the Korean question had not been completed when the General Assembly recessed the first part of its seventh session on 22 December.

1. United Nations Command Reports³

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 the reports.

a. TRUCE NEGOTIATIONS

At the beginning of 1952, truce negotiations between the United Nations Command and the Chinese-North Korean Command centered in the following three agenda items: item 3, "Concrete arrangements for the realization of a cease-fire and an armistice in Korea"; item 4, "Arrangements relating to prisoners of war"; and item 5, "Recommendations to the governments concerned."

Towards the close of 1951 agreement had been reached on the following points under agenda item 3: cessation of hostilities within 24 hours after the signing of the armistice agreement; withdrawal of armed forces from the demilitarized zone; and withdrawal of armed forces from coastal islands and territories controlled by the other side. Earlier—in November 1951—full agreement had been reached on item 2, relating to the demarcation line.

On 19 February 1952, agreement was reached on agenda item 5 concerning recommendations to governments. Initially the Chinese-North Korean side had proposed a political conference covering the whole range of Far Eastern problems to be held three months after the armistice agreement became effective. They proposed that the following matters be discussed at that conference: (1) withdrawal of all foreign forces from Korea; (2) peaceful settlement of the Korean question and other related questions. The United Nations Command delegation pointed out that it was a military negotiating team without authority to deal with political matters. It was, however, prepared to make procedural recommendations concerning a political conference to deal exclusively with Korean political problems upon the conclusion of an armistice. It could not consider recommending a discussion of matters not directly concerned with Korea.

The United Nations Command delegation accepted a revised Chinese-North Korean proposal recommending that within three months after the armistice became effective "a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiations the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, et

¹ For map of Korea, see p. 213.

² See Y.U.N., 1950, p. 230.

³ Reports Nos. 37 to 60 of the United Nations Command operations in Korea: S/2550, S/2593 & Corr.1, S/2605, S/2619, S/2629, S/2662, S/2700, S/2715, S/2768, S/2774, S/2789, S/2805, S/2836, S/2837, S/2897, S/2898, S/2920, S/2970, S/2970-S/2972, S/2972, S/2982.

cetera". In agreeing to this recommendation, the United Nations Command representative made the following statement for the record concerning the understanding of this proposal by the United Nations Command:

"First, we desire to point out that this recommendation will be made by the Commander-in-Chief, United Nations Command, to the United Nations as well as to the Republic of Korea. Second, in accepting the term Foreign Forces we are doing so on the basis of your statement that this term means non-Korean Forces, and third, we wish it clearly understood that we do not construe the word *et cetera* to relate to matters outside of Korea."

On agenda item 3, the following were the main points at issue between the two delegations:

(1) The United Nations Command delegation wanted the broadest possible access to all parts of Korea to assure against the increase of military strength. It offered corresponding facilities to the Chinese-North Korean side. The Chinese-North Korean side wanted to limit inspection claiming that it would be unwarranted interference in the affairs of North Korea.

(2) The United Nations Command proposed a prohibition applicable to both sides on the construction of new military airfields and a ceiling on the number of civilian airfields to be rehabilitated. The Chinese-North Korean side held that the provision would constitute an abridgment of sovereignty and insisted on unlimited airfield construction.

(3) The United Nations Command proposed a provision for the rotation of 40,000 persons per month in order to enable their personnel to be withdrawn from Korea when their tour of duty was completed. The Chinese-North Korean side insisted on a rotation figure of 30,000.

(4) The United Nations Command initially proposed that inspection regarding adherence to the terms of the armistice agreement relative to reinforcement should be carried on by joint teams of both sides. It accepted in principle, however, the proposal of the Chinese-North Korean side for the inspection to be carried out by a Neutral Nations Supervisory Commission. But the United Nations Command did not accept the Chinese-North Korean proposal that the USSR be accepted as one of the neutral nations.

By March 1952 agreement was reached on the following points:

(1) Inspection teams would be stationed at five ports of entry on each side and there would be ten mobile teams to investigate reported violations. The ports of entry agreed upon were:

Territory under the military control of the United Nations Command	Territory under the military control of Korean People's Army and the Chinese People's Volunteers
Inchon	Sinuiju
Taegu	Chongjin
Pusan	Hungnam
Kangnung	Manpo
Kunsan	Sinanju

(2) Both sides would cease, after the signing of the armistice, the introduction into Korea of reinforcing military personnel. However, the rotation of 35,000 military personnel a month would be permitted. Rotation personnel were to enter Korea only through designated ports of entry, under the supervision and inspection of the teams of the Neutral Nations Supervisory Commission.

No agreement was reached, however, on airfield construction and the composition of a neutral supervisory organization. On 25 February, the United Nations Command stated, in an effort to break the deadlock on this issue, it proposed four neutral nations—Sweden and Switzerland on the United Nations Command side and Poland and Czechoslovakia on the Chinese-North Korean side.

Discussion on the item relating to the exchange of prisoners of war began early in 1952, when the United Nations Command proposed that after the signing of the armistice all prisoners of war would be released, including soldiers of one side who had been impressed into the armed forces of the other side. As regards repatriation, the proposal permitted freedom of choice to the individual, ensuring that no duress or force would be used to influence him. The proposal provided for repatriation of prisoners of war, displaced persons and refugees. Finally, the United Nations Command said, its proposal provided for a supervisory organ, the International Committee of the Red Cross, to interview all prisoners of war, to ensure that, whatever their choice, it would be made "freely and without fear".

The Chinese-North Korean delegation, the United Nations Command stated, rejected these proposals, accusing the United Nations Command of attempting to keep prisoners of war in slavery, to hold them as hostages and to prevent the civilian population in the United Nations Command zone from being repatriated. At the same time, this delegation argued the right of an impressed soldier of the Republic of Korea Army to remain in the Chinese-North Korean forces.

The United Nations Command report (S/2593) covering the period 16 to 31 January stated that, with the gradual development of the discussion, the Chinese-North Korean representatives maintained an adamant position that the individual prisoner of war must be repatriated after an armistice, irrespective of his choice.

They insisted that the plain wording of the Geneva Convention supported their view. Without admitting it openly, the report said, they im-

plied that the Geneva Convention was designed to protect the State rather than the individual.

In subsequent discussions, although the issue of voluntary repatriation remained unsolved, agreement was reached on the following points:

(1) Prisoners of war, when released from custody, would not again be employed in acts of war in the Korean conflict.

(2) Sick and injured prisoners would be repatriated first.

(3) The exchange of prisoners of war would be completed within two months.

(4) A committee of Chinese-North Korean Command and United Nations Command officers would supervise the exchange of prisoners of war.

(5) This committee would be assisted by joint Red Cross teams composed of representatives of United Nations Red Cross societies and Chinese-North Korean Red Cross societies.

(6) Korean civilians would be permitted to return to their homes on either side of the demarcation line.

(7) Foreign civilians would be permitted to return to their homes.

At the suggestion of the United Nations Command, the armistice negotiations went into secret session on 25 March when, the United Nations Command stated, it made its position on forced repatriation unmistakably clear. The Chinese-North Korean delegation indicated its willingness to negotiate but on condition that the United Nations Command would provide an estimate of the total number of persons the Chinese-North Koreans would expect to have returned to their side. The United Nations Command stated that, since no poll of the individual preferences had been taken, there was no basis for any reliable estimate of the number available for return. However, it reported, Chinese-North Korean insistence on a round figure compelled the United Nations Command to initiate a screening programme for all persons held in custody in the camps at Koje-Do and Pusan.

It gave the following account of the screening process:

During a 24-hour period prior to the screening, North Korean and Chinese Communist prisoners of war of each compound on Koje-Do were carefully informed of the fact that they would be interviewed for the purpose of determining whether or not they would forcibly oppose repatriation. The prisoners were briefed not only on the importance of this decision, which was to be final, but on the fact that for their

own safety they should not discuss the matter with others or make known their decision before the individual interviews were held.

The interviews were conducted by unarmed United Nations Command personnel near the entrance to each compound. Each prisoner, carrying his personal possessions, was called forward individually and interviewed in private. Highly qualified personnel, it was stated, conducted the interrogations.

The series of questions used in the interview, the report said, was designed to encourage a maximum number of prisoners to return to the Chinese-North Korean side, not to oppose such return. The first question was designed to identify those who clearly desired to return. In the case of Chinese prisoners, the first question was: "Would you like to return to China?" In the case of North Koreans, the first question was: "Would you like to return to North Korea?" If the answer was in the affirmative, the prisoner was listed for repatriation without further questioning. Those who replied in the negative were subjected to additional questions designed to determine whether their opposition was nominal or whether they would violently oppose repatriation, the report said. The second question was: "Would you possibly resist repatriation?" If the answer was "No" the prisoner of war was listed for repatriation. If the answer was "Yes" the prisoner of war was asked four additional questions to determine fully his attitude. These were: "Have you carefully considered the important effect of your decision upon your family?" "Do you realize that you may stay in Koje-Do for a long time—even after those who choose repatriation have already returned home?" "Do you understand that the United Nations Command has never promised to send you to any certain place?" "Do you still insist on forcibly resisting repatriation?" And, finally, "Despite your decision, if the United Nations Command should repatriate you, what would you do?" The prisoner was listed for repatriation unless during the questioning he mentioned suicide, fight to death, braving death to escape, or similar intentions. As a result of these procedures, all prisoners of war were included among those to be repatriated except those whose opposition to return was so strong that they would attempt to destroy themselves rather than return to Communist control.

Prisoners of war and civilian internees in custody at the hospital compound in Pusan were screened under a similar procedure.

As a result of the screening, in which prisoners of war and civilian internees were interviewed

to ascertain their decisions, it was estimated that approximately 70,000 prisoners of war and civilian internees would remain on Koje-Do to await repatriation to the Chinese-North Korean authorities following an armistice. This was the number reported to the Chinese-North Korean side.

Following the refusal of the Chinese-North Korean delegation to an exchange of prisoners of war on the basis of the results of the screening, the United Nations Command, on 28 April, offered a proposal covering the remaining differences on the arrangements for supervising the armistice, namely, rehabilitation and construction of airfields, the composition of the Neutral Nations Supervisory Commission and the question of repatriation of prisoners of war. The proposals were:

(1) There would be no forced repatriation of prisoners of war.

(2) The United Nations Command would not insist on prohibiting rehabilitation and construction of airfields.

(3) The United Nations Command would agree to accept Poland and Czechoslovakia as members of the Neutral Nations Supervisory Commission if the Chinese-North Korean side agreed to accept Sweden and Switzerland (thus withdrawing their demand for the inclusion of the Soviet Union).

The United Nations Command reported that, in making this proposal, it made it clear that the proposal must be accepted as a whole. The Chinese-North Korean delegation accepted the second and third points but rejected the first which, according to the United Nations Command, constituted a rejection of the proposal. However, the United Nations Command held the proposal open.

On 6 July the Chinese-North Korean delegation stated that if, after rechecking and reclassifying lists of prisoners, the United Nations Command lists contained a reasonable total, including 20,000 Chinese prisoners, the question of exchanging prisoners of war would be settled. They further stated, the United Nations Command report said, that they considered a figure in the neighbourhood of 110,000 prisoners as a reasonable total for the United Nations Command to submit.

By this time, the complete results of the United Nations Command screening had become available. These figures totalled 83,000 prisoners, who would not oppose repatriation, including approximately 6,400 Chinese prisoners.

On 13 July the United Nations Command presented this new figure of 83,000. On 18 July the Communist side rejected this figure and restated its position of 6 July, but with the increased demand for 116,000 prisoners, including 20,000 Chinese People's Volunteers.

On 28 September 1952, at a meeting of the main armistice delegations, the United Nations Command delegation reviewed the proposals that it had offered for a solution of the prisoners of war question. These were as follows:

(1) On 23 April the United Nations Command had proposed that joint Red Cross teams from both sides, with or without military observers of both sides, be admitted to the prisoner-of-war camps of both sides to verify the fact that non-repatriates would forcibly resist return to the side from which they came.

(2) At the same time it had proposed that all prisoners of war of both sides be delivered in groups to the demilitarized zone and be given an opportunity to express their preference on repatriation. The verification was to be carried out by one or a combination of the following: the the International Committee of the Red Cross, teams from impartial nations, joint teams of military observers or Red Cross representatives from each side.

The same day the United Nations Command also made the following proposals:

"1. Both sides would agree that as soon as the armistice agreement goes into effect all prisoners of war of each side shall be entitled to release and repatriation, both sides agreeing that the obligation to exchange and repatriate prisoners of war is fulfilled by having them brought to an agreed exchange point in the demilitarized zone where the prisoner of war will be identified and his name checked against the agreed list of prisoners of war. However, both sides would agree that any prisoner of war who at the time of his identification states that he wishes to return to the side by which he had been detained shall immediately be permitted to do so and that that side will transport him from the demilitarized zone and not detain him as a prisoner of war but permit him to regain civilian status.

"2. Prisoners not resisting repatriation would be expeditiously exchanged. All prisoners of war who have indicated to the United Nations Command that they would forcibly resist repatriation will be delivered to the demilitarized zone in small groups where they will be entirely freed from the military control of either side and interviewed by representatives of mutually agreed country or countries not participating in the Korean hostilities and free to go to the side of their choice as indicated by those interviews.

"3. Prisoners not resisting repatriation would be expeditiously exchanged. Prisoners of war who have indicated to the United Nations Command that they will forcibly resist repatriation will be delivered in groups

to the demilitarized zone and there entirely freed from the military control of either side and without questioning, interviewing or screening of any kind to be released and free to go to the side of their choice."

The United Nations Command delegation stated that it had also made it clear that the procedures contained in the three proposals could be carried out in the presence of, or under the observation of, one or a combination of (1) the International Committee of the Red Cross, (2) joint Red Cross teams, or (3) joint teams of military observers of both sides.

The reports (S/2898 and S/2920) for October referred to a Communist proposal of 8 and 16 October, according to which all Chinese prisoners and United Nations personnel must be repatriated. Captured personnel of the North Korean Army whose homes were in North Korea must also be repatriated, while those whose homes were in South Korea might return there. For captured South Korean Army personnel, corresponding arrangements were suggested.

The United Nations Command stated that it had rejected these proposals, since they constituted no real change in the enemy position. It held that the Communists had rejected the United Nations Command proposals of 28 September. No meetings of the armistice delegations were held between 16 and 31 October.

In its report (S/2971) for the period 16 to 30 November, the United Nations Command stated that the Chinese-North Korean Command had ignored a United Nations Command request that captured personnel in that Command's custody be permitted to receive individual parcels through the mail exchange which was then in operation. The reports for the period 1 to 15 December (S/2972) and for the period 16 to 31 December (S/2982) stated that the armistice negotiations had continued in recess.

b. INCIDENTS RELATING TO PRISONERS OF WAR

In its report (S/2593) covering the period 16 to 31 January 1952, the United Nations Command stated that the Chinese-North Korean side had claimed that its prisoner-of-war camp No. 8 at Kang-Dong had been attacked by United Nations Command aircraft and that 22 prisoners had been killed and 55 injured. The United Nations Command had lodged an immediate protest that the areas had not been marked in accordance with the Geneva Convention.

Later, agreeing to United Nations Command demands, the Chinese-North Korean delegation had presented data which, according to it, showed

exact locations of prisoner-of-war camps in the Chinese-North Korean area. An investigation by the United Nations Command showed that on the date of the alleged occurrence, 14 January, United Nations Command aircraft had attacked military targets in that area but it could not be verified whether the camp had been attacked.

The report of the United Nations Command (S/2619) covering the period 16 to 29 February stated that, on 18 February, a riot believed to have been planned and led by Communists took place among Korean civilian internees on the island of Koje. It was put down by United Nations Command security troops. One American soldier and 69 inmates of the internment camp were killed. One American soldier was injured, 22 suffered minor injuries and 142 inmates were wounded. No prisoners of war were involved. The United Nations Command said that the rioters were nationals of the Republic of Korea and that the subsequent Chinese-North Korean stand that the matter concerned them was not supported by international law.

In its report (S/2629) covering the period 1 to 15 March the United Nations Command related that on 13 March an outbreak among North Korean prisoners of war had occurred at Koje island, as a result of which twelve prisoners of war died and 26 were wounded. One American officer and one Republic of Korea civilian were injured.

The United Nations Command report (S/2715) covering the period 1 to 15 May stated that prisoners of war culminated a long series of incidents, disorders and demonstrations against the United Nations Command by forcibly seizing, on 7 May, Brigadier-General Francis T. Dodd, the United Nations Commander of Koje-Do. The view was expressed that this action was taken primarily to offset the announcement by the United Nations Command that all but approximately 70,000 of the 132,000 prisoners of war held by it would forcibly resist return to Communist control.

The Communist prisoner-of-war leaders demanded certain conditions under which Brigadier-General Dodd was to be released. To avoid the bloodshed on a large scale which would have resulted if an attempt had been made to free General Dodd by the use of force, Brigadier-General Colson, the Acting Commander of Koje-Do acquiesced in the demands without proper authority. The ransom note thus forced from Brigadier-General Colson was, the report stated, deliberately misconstrued by the Communists as admitting the guilt of the United Nations Com-

mand as regards certain allegations of abuse and ill-treatment.

Following these incidents, the Commanding General, Eighth Army, was directed to take the steps necessary to ensure complete control of all prisoners of war at Koje-Do. On 10 June the United Nations Command began to distribute the prisoners of war into smaller, more separated compounds. This attempt was met by resistance from the prisoners who had armed themselves with improvised weapons. Most prisoners were evacuated without difficulty, but in one corner of Compound 76 some 1,500 prisoners had gathered in a group. They were brought under control by the use of tear-gas and concussion grenades. Total casualties were: one United States enlisted man killed and fourteen others wounded; 31 prisoners of war were killed and 139 wounded. It was significant, the United Nations Command noted (S/2774), that some prisoners were seen attacking the others.

The Commanding General, United Nations Prisoner-of-War Camp No. 1, in a personal report to higher headquarters, stressed that he himself had given both written and oral orders to Colonel Lee Hak Koo, North Korean Communist prisoner-of-war leader, to form his people into groups of 150. This order was ignored. After the compound was subdued, Lee and other leaders were segregated and the remainder of the strong pro-Communist compounds were also segregated and moved without resistance.

The United Nations Command reported that a survey of Compound 76 revealed that prisoners were armed with about 3,000 spears, 1,000 gasoline grenades, 4,500 knives and an undetermined number of clubs, hatchets, hammers and barbed wire flails. These weapons had been covertly fashioned from scrap materials and metal-tipped tent poles over a long period of time in preparation for armed resistance. One tunnel was under construction from Compound 76 to Compound 77. Entrenchments around each hut were connected from one building to another. In Compound 77 the bodies of sixteen murdered prisoners were found.

The United Nations Command report (S/2805) for the period 1 to 15 July stated that, concurrently with the movement of personnel who had been segregated for return to Communist control, construction of 500-man compounds continued at Chogu-ri, on the south-west end of Koje-Do, at Pongam-Do and Yonco-Do, small islands south-west of Koje-Do, and at Cheju City. Following orders for special vigilance, the commanding officer of the pro-Communist Chinese prisoner-of-war

camp at Cheju City reported that plans had been uncovered to disrupt discipline in that camp. These plans included: (1) deliberate misunderstanding of orders; (2) ignoring instructions or explanations of camp supervisory personnel; (3) continued demonstrations and loud noise-making; and (4) surreptitious communications between compounds.

In its report (S/2836) covering the period 1 to 15 August, the United Nations Command stated:

"An investigation of an incident which occurred on 27 July 1952 at Nonsan, United Nations Prisoner-of-War Camp No. 16, housing North Koreans who had indicated they would violently resist repatriation to Communist control, produced the first evidence of possible pro-Communist infiltrators into the non-repatriate camps. Testimony taken from anti-Communist prisoners alleged that a group of North Koreans who had been shipped from Koje-Do were posing as anti-Communists in order to penetrate mainland camps to cause unrest and violence. It was further alleged that this group planned to assassinate anti-Communist leaders and later take over control of entire compounds. This situation resulted in the seizure of the agitators by prisoner leaders who interrogated them and attempted to force confessions of planned resistance, by beating them into submission. One prisoner died as a result of injuries and seven were evacuated for treatment. While conclusive evidence is lacking, camp authorities felt it appeared definite that this incident was anti-Communist counteraction against actual Communist agitators.

"A second incident on 30 July at Nonsan, which followed the general pattern of the 27 July foray, resulted in injuries to 24 North Korean prisoners. Interrogation of the injured by Counter Intelligence Corps and security personnel indicated that this incident was related to an internal struggle for power between pro- and anti-Communist elements. Investigation by United States personnel did not substantiate previous allegations of assassination plots. It was becoming apparent, however, that some Communist prisoners of war were in this camp with a deliberate purpose of creating trouble.

"A series of scattered incidents occurring at other prisoner-of-war installations did not appear to be part of an over-all resistance movement. Instead, they seemed to be unrelated, varying in degree of violence, and purely local in nature."

The United Nations Command report (S/2898) covering the period 1 to 15 October stated that the series of open acts of defiance which occurred during the latter part of September at United Nations Prisoner-of-War Camp No. 3, Cheju City, culminated on 1 October 1952 in a carefully planned attempt at open rebellion. In an attempt to restore order, two platoons forced their way into the compound and were immediately attacked by prisoners armed with rocks, spears, barbed wire flails and other hand-made missiles. Total casualties resulting from firing were: 56 prisoners dead, 91 injured and evacuated to the prisoner-of-war hospital at Pusan, and nine slightly injured. Nine United States troops were bruised by rocks or clubs.

The report noted that the inmates of these camps had been specifically warned the day previously that demonstrations celebrating Chinese Communist holidays during the period 1 to 3 October would not be permitted. Facilities were provided for the Press to take photographs of weapons used by inmates and to question the United States personnel involved.

Reporting for the period 1 to 15 November (S/2970) the United Nations Command described two incidents which, it said, provided further evidence of pro-Communist intelligence activities in prisoner-of-war camps. On 5 November two prisoners, apprehended while trying to escape from Camp No. 1 at Koje-Do, were found to have on their persons: six petitions addressed to Chinese and North Korean officials; a hand-drawn map of Korea; a map of Koje-Do indicating United Nations Command troop dispositions, as seen from the enclosure; a partial list of military units on Koje-Do; a diary of a Communist Party member; two home-made flags; and a crude compass.

During an interrogation of a prisoner of war at Koje-Do who had escaped on 17 October and was recaptured 19 November, the prisoner admitted he had delivered a package containing coded documents and petitions of a type similar to that mentioned above to a pre-determined individual at the Pusan railroad station. He was able to identify his contact by a peculiar manner of dress and three code words. The United Nations Command, thereafter, took measures to prevent "warfare through prisoners". The measures included dispersal of confirmed Communist prisoners into smaller groups, the strengthening of security forces and the evacuation of a nearby village and homes which had previously sheltered enemy agents. The report also noted other scattered incidents in pro-Communist camps.

On 6 December, the United Nations Command stated, a plan for a mass outbreak of prisoners was discovered. Coded documents were intercepted in several compounds. On 14 December, reports came to the commander of the camp that internees in two of the compounds were massing. Order was restored with a small detachment of United States and Republic of Korea guards.

c. MILITARY OPERATIONS

(1) Ground Operations

During the period of armistice negotiations no significant changes took place in front lines or troop dispositions. Ground action was mainly characterized by patrol clashes, probing attacks and

raids which ranged from platoon to regimental strength.

On 12 May 1952, General Mark W. Clark succeeded General Matthew B. Ridgway as Commander-in-Chief of the United Nations forces in Korea.

Intermittently during the year the United Nations Command noted continued improvement in enemy combat capabilities although prisoner-of-war statements and other evidence pointed towards a predominantly defensive attitude. In June the United Nations Command reported that it had captured and retained, for fifteen days, critical and strongly held terrain features in the sector of the 45th Infantry Division. During the engagements the enemy suffered casualties estimated at 3,500. From 12 to 27 June strongly defended enemy positions in the sector of the 6th Republic of Korea Division were captured against strong enemy attacks. Confirmed enemy casualties were 207 dead and ten prisoners.

In August the United Nations Command reported definite increase in the amount of artillery and mortar fire employed by the enemy. The combined fire, it was stated, attained a record daily average of 8,700 rounds, with the unprecedented amount of 21,688 rounds fired in a single 24-hour period.

The heaviest ground action in over a year was reported by the United Nations Command in October, when hostile units of up to regimental strength struck a total of 40 United Nations Command positions on the western and central fronts. At the end of October, the enemy, at great cost, was reported to have taken and retained five positions. During these attacks, the report said, the enemy unleashed the largest volume of artillery and mortar fire since the beginning of hostilities in Korea. Over 93,000 rounds fell on United Nations Command positions on 7 October and the daily average rose to 24,000 rounds. In the latter part of October the United Nations Command reported increased enemy pressure on the central and western fronts, the majority of enemy attacks having been repulsed with heavy losses.

In November and December the United Nations Command did not report any major changes in the front lines but stated that there had been persistent heavy attacks on forward positions of the United Nations forces, in which often over 18,000 rounds of artillery and mortar fire were employed by the enemy. The reports said that the Chinese-North Korean campaign during November and December 1952 to retake and hold terrain features in the Kumhwa area continued, with heavy losses to the enemy. Positions such as those on Triangle Hill

and Sniper Ridge temporarily captured by the enemy from the United Nations forces were, however, quickly regained.

(2) Naval Operations

United Nations Command Naval forces operating in the Sea of Japan, the Yellow Sea and the Gulf of Korea continued to blockade the Korean coasts and to shell coastal enemy transportation hubs and positions at both ends of the battle line. Coastal rail and highway routes and bridges were cut continuously by night and day attacks.

In February the United Nations Command reported the appearance of an increased number of enemy sampans and small craft attempting to run the coastal blockade. A total of 175 of these were sunk or damaged. An enemy attack on a friendly-held island was repulsed. During the year the enemy ports of Wonsan, Hungnam and Sonjin were kept under siege and the enemy forces in those parts were subjected to continuous fire.

United States naval auxiliary vessels, Military Sea Transportation Service and merchant vessels under contract provided personnel lift and logistic support for United Nations air, ground and naval forces in Japan and Korea.

Shore-based marine and carrier-based aircraft provided front-line units with close support and flew strike and reconnaissance sorties deep into enemy territory. These sorties destroyed or damaged gun and mortar positions and other military objectives.

In October the United Nations Command reported that United Nations Naval aircraft operating from fast carriers in the Sea of Japan had struck targets from the bomb-line to the Manchurian border. Further, Navy and Air Force planes and United Nations Command warships of the United Nations Command Joint Amphibious Task Force Seven bombarded enemy positions in the Kojo area. Intermittent enemy shore gunfire resulted in minor damage to two United Nations Command naval vessels.

On 21 and 24 October two destroyers were reported struck by enemy shore batteries. In one case seven United Nations personnel were killed and one wounded. In the second, no damage or casualties were suffered.

The United Nations Command report (S/2972) for the period 1 to 15 December stated that during the period 430 close and deep support missions resulted in destruction of many enemy bunkers, gun and mortar positions, and front-line supply areas. A major strike was made on 9 December against the four important supply centres of Hyesanjin, Munsan, Hunyung and Najin. During the

period a strike was also made on the Kyosen No. 1 hydro-electric plant, resulting in heavy damage.

(3) Air Operations

The United Nations Command air offensive against North Korea was continued during the year, its primary objective being systematic interdiction of enemy rail and highway lines of communication, and destruction of the enemy's industrial war potential. Combat cargo aircraft continued to airlift high priority passengers, to evacuate patients and to provide emergency supplies to United Nations Command ground, air and naval units.

In February the United Nations Command reported greater activity on the part of enemy jet fighters and the appearance of large MIG-15 formations over North Korea.

In May the United Nations Command noted the appearance of enemy jet aircraft in smaller formations but at lower altitudes and more willing to engage in combat. United Nations Command pilots, the report said, noted a continued increase in the aggressiveness of enemy pilots.

In June the United Nations Command reported the largest aerial operation conducted by it since the beginning of the conflict in Korea. On 23 and 24 June, a combined naval and airforce attack was made on thirteen vital hydro-electric installations in North Korea. Simultaneous strikes were conducted against the power plants at Suiho, Chosen and Fusen. The United Nations Command stated that the Suiho installation on the Yalu River was reputedly the fourth largest in the world.

The United Nations Command reported the successful bombing of an iron-ore processing plant at Tasyudong on 20 October and a successful attack two days later on a lead and zinc-processing plant near Okung. Fighter bombers struck enemy supply points and other targets including bridges, gun positions, troop concentrations and railway lines; they almost completely destroyed the military school at Kumgang.

The United Nations Command report (S/2971) for the period 16 to 30 November stated that Sabre-jets of the United States Command air forces destroyed the 500th Russian-built enemy MIG-15 during the first week of the period. The month, the report said, brought to a close two years of jet aerial warfare with the Chinese Communists and North Koreans failing to produce an aircraft pilot team capable of seriously threatening United Nations Command air superiority. MIG losses, as compared to those of Sabre-jets, during these two years, the report said, stood at approximately eight to one.

d. ECONOMIC AND RELIEF ACTIVITIES

The United Nations Command report (S/2662) for the period 1 to 15 April stated that the dollar value of supplies and equipment actually delivered to Korea in support of the Korean economic aid programme from July 1950 to March 1952 by the United States Government agencies was \$227 million. The supplies and equipment included the following:

(1) Supplies and equipment for direct relief and short-term economic aid under the United Nations Command programme from United States funds amounting approximately to \$101 million.

(2) Supplies and equipment procured by the Economic Construction Agency during the period 1 July 1950 to 7 April 1951 for economic rehabilitation amounting to \$26 million.

(3) Civilian supplies and equipment provided by the United Nations Command for common military-civilian purposes amounting, approximately, to \$65 million. This category of supplies, the report stated, was provided as a military necessity, but was considered within the framework of Korean economic aid since the Korean economy derived considerable benefit from it. The projects included in this category were: construction and reconstruction of bridges and roads; rehabilitation and improvement of ports and harbours; rehabilitation of railroads; provision of rolling stocks, coal and operation supplies for the railroad; rehabilitation and improvement of communication facilities; and rehabilitation of public utilities such as water works, ice plants, electric power system and coal mines.

(4) Raw materials supplied for support of the Republic of Korea Army as a military requirement. These supplies, the United Nations Command report stated, were considered within the sphere of the Korean economic aid programme since the manufacture of end items in Korea supported Korean economy by sustaining industry, providing employment and easing restrictions on civilian supplies. On a conservative estimate, it was stated, \$35 million worth of raw materials were delivered to Korea for this purpose.

The figure of \$227 million, it was stated, did not cover the following: purchase of supplies and services in Korea; services of United States service troops in rehabilitation projects; power furnished from floating power barges and destroyer escorts; trucks; salaries of all personnel solely engaged in movements of refugees by ship, airplane, rail and trucks; salaries of all personnel solely engaged in Korean economic aid at all levels. The cost of such services was conservatively estimated to be over \$225 million.

The United Nations Command estimated contributions of supplies and equipment delivered to Korea from other United Nations Member nations and non-governmental agencies to be \$19,500,000. The total from 1 July 1950 to 15 March 1952 was estimated at \$471,500,000.

During the same period, the United Nations Command reported, the progress in the construc-

tion of all types of houses under the National Housing Programme had continued: of the 19,644 family units planned, 6,475 were completed and 4,336 were under construction.

The United Nations Command reported (S/2768) that an Agreement on Economic Co-ordination between the Republic of Korea and the Unified Command was signed on 24 May 1952 at Pusan.

The Agreement provided for the establishment of a Combined Economic Board composed of one representative from the Republic of Korea, and one representative of the United Nations Command. Under the Agreement, the Unified Command would assist the Government of the Republic of Korea in ascertaining its requirements for equipment, supplies and services; and, within the limits of available resources, would provide food, clothing and shelter for the population, as necessary to prevent epidemics, disease and unrest. The Unified Command would also assist the Republic of Korea in rehabilitation projects.

Under the Agreement, the Government of the Republic of Korea agreed to take further measures to prevent inflation, hoarding and harmful speculative activities; to apply sound, comprehensive, and adequate budgetary, fiscal and monetary policies, including maximum collection of revenues; and to maintain adequate controls over public and private credit. It also agreed to promote wage and price stability, to make the most effective use of all foreign exchange resources and to maximize production for export.

In a complementary exchange of notes, the United States agreed: (1) to pay at the same rate for all won drawn by the United Nations forces and sold to United States personnel; and (2) to pay for all won expended by the United States for bona fide military purposes during the period 1 June 1952 to 31 March 1953. The United States also agreed that, as soon as practicable after 31 March 1953, it would make full and final settlement for all won used between 1 June 1952 and 31 March 1953 for bona fide military purposes. The Government of the Republic of Korea agreed to utilize the proceeds of the sale of foreign exchange or imports derived from the payments in accordance with principles contained in the Agreement. The above settlements, it was stated, were without prejudice to the settlement of any other claims arising from the provision and use of currency and credits for periods prior to 1 January 1952 for which settlement had not yet been made.

The report (S/2837) for 16 to 31 August referred to continued United Nations Command

assistance to the Republic of Korea in obtaining maximum food production—this included the rehabilitation of the fishing industry. Because of the fighting and the fact that military installations occupied some agricultural lands, the crop yield for 1951 was about 5 to 10 per cent less than pre-war yields but the 1952 harvest was expected to be higher than the 1951 harvest. The United Nations Command expressed satisfaction with the distribution of food to refugees. During the period 25 June 1950 to 30 June 1952 a total of 554,599 long tons of grain, with a value of \$75,194,140 was delivered to Korea through the United Nations Command, the report said.

A preliminary survey of crop-growing conditions and areas planted with rice and supplemental crops was conducted by a joint United Nations Command-Republic of Korea survey team during the period 29 August to 11 September. The survey was based on the recognition of four categories of land: (1) land under control of irrigation associations; (2) land under controlled irrigation; (3) land partially irrigated; and (4) non-irrigated land.

Upon completion of the first phase of the survey it was jointly agreed that 96 per cent (362,095 acres) of the land controlled by irrigation associations and that 97 per cent (682,002 acres) of other land under controlled irrigation had been planted with rice. It was further agreed that at least 75 per cent (407,264 acres) of land under partial irrigation had been planted with rice. The report noted that, normally, land in the first two categories accounted for about 68.5 per cent and land in the third category for approximately 23 per cent of the total amount of rice produced. Non-irrigated land normally produced only 8.5 per cent of the total. It was jointly agreed, the report said, that a large portion of this land should be reclassified as suitable only for dry-land crops.

The United Nations Command report (S/2970) for the period 1 to 15 November stated that under the terms of the Economic Co-ordination Agreement of 24 May 1952 the United States Government on 7 November paid \$17,987,671.43 to the Republic of Korea. This amount represented a \$4 million monthly payment on account for won expended for bona fide military uses from June to September, together with payment for won sold to troops during the period from May to August. On 12 December the United States paid a further \$8,552,225. This, the fourth such payment, brought the total to \$74,190,444.

The report said that preliminary results of the crop survey conducted to estimate the Republic

of Korea rice crop for the current food year indicated, according to the United Nations Command members of the team, that approximately 13 million suk of brown rice would be produced (1 suk=5.12 bushels). The report said that during the period 1940-44 the annual average rice production was 13,718,516 suk, and that during the period 1946-50 the annual average was 14,145,444 suk. By comparison with these figures for previous years, the estimate for the year's crop showed that the Republic of Korea rice production would be approximately normal.

The United Nations Command report (S/2971) for the period 16 to 30 November stated that at a meeting of the Combined Economic Board, held on 19 November, a joint proposal was made for the free allocation of veterinary drugs and supplies to establish and maintain 200 veterinary clinics in Korea for six months to treat animal disease and conserve livestock. It was estimated that in six months' time the clinics would be able to begin paying an increasing percentage of the cost of supplies.

A seminar-workshop programme was being held during the reporting period in Pusan for 180 educators from all provinces of the Republic of Korea. Conducted by members of the American Education Mission, the seminars covered five major areas of education, including: teaching and learning; fundamental philosophy of education; administration; and child development and guidance. The six members of the American Education Mission, who were recruited for the Unitarian Services Committee, were to spend nine months in Korea on a technical assistance programme.

An appropriation of \$1,845,000 was made by the United Nations Korean Reconstruction Agency for an orphans' programme, the Unified Command reported. Projects to be financed by this appropriation were prepared by the Joint United Nations Civil Assistance Command Korea-United Nations Korean Reconstruction Agency-Republic of Korea Child Welfare Committee, which was established on 6 October for the purpose of studying, analyzing and co-ordinating child welfare plans and activities. Three projects were proposed, which included: the establishment of a child welfare centre and a rational model and training institution in each province; extension and improvement of the best existing educational institutions; and the establishment of three vocational training institutions.

The report (S/2982) covering the period 16 to 31 December stated that civilian relief supplies delivered by the United Nations for use in Korea as of 30 November 1952 totalled \$243,978,485.

The United States Government had furnished goods valued at \$218,910,952. United Nations Members and other free nations had contributed an additional \$11,667,350; United States voluntary agencies had contributed \$10,952,657; and United Nations voluntary agencies \$2,447,526.

The report further said that UNKRA had accepted a procurement request from the United Nations Civil Assistance Command for the purchase of a hundred "Land Crete" machines to manufacture brick-shaped earth blocks and tile from indigenous materials on sites where a building programme was being conducted. Delivery of the machines would facilitate a much more comprehensive building programme.

The first group of Republic of Korea merchant seamen arrived on 17 November at Yokusuka, Japan, for merchant marine training to be given by the United Nations Command. The programme provides for the training of 480 Republic of Korea seamen during the next twelve months.

e. PUBLIC HEALTH ACTIVITIES

Reviewing public health conditions, the United Nations Command stated that during the North Korean advance up to Pusan in 1950, the invaders had stripped all hospitals and dispensaries and kidnapped doctors and nurses to North Korea. In addition to these inroads, the Republic of Korea Army, of necessity, utilized all hospitals and many public buildings as emergency hospitals during the first year of the war. Doctors were drafted to serve in the Republic of Korea Army.

To meet this emergency, shipments were made from Japan and the United States, principally by air transport, of substantial quantities of drugs, vaccines, serums, anti-biotic preparations and human blood plasma, together with surgical supplies.

Public health medical facilities, it was reported, had grown from emergency front-line military first aid and evacuation stations to a current programme of 491 dispensaries and 97 hospitals having 9,200 bed spaces. The daily "in-patient" load in June was reported to be 6,000 and the monthly "out-patient" load approximately 910,000. Four-and-a-half million patients had been treated since January 1952. In addition, there was one mobile hospital (40-bed capacity) for civilians in each United States combat corps area and one civilian dispensary in each United States division area.

Equipment and supplies for X-ray diagnosis were furnished to rehabilitate X-ray service in hospitals. In addition, equipment and supplies for nation-wide diagnostic laboratory service for

civilians were furnished by the United Nations Command.

Supplies and equipment for 500 small medical teams were distributed throughout Korea in the early part of 1952. These medical teams, located in new urban areas, did the bulk of medical relief and immunization work in Korea, it was stated.

As a result of sanitation work by the United Nations Command no epidemics of insect-borne or filth diseases had occurred in South Korea. Deaths from typhoid averaged only 22 per month during the first four months of 1952, as compared with 1,669 per month in 1951; from smallpox 37 per month, as compared with 1,032 per month in 1951; and typhus eighteen per month, as compared with 433 per month in 1951. No cases of cholera occurred during 1952. The United Nations Command attributed the decline in death rate to mass immunization programmes conducted in 1951.

f. SPECIAL REPORT BY THE UNIFIED COMMAND

On 18 October 1952 the Unified Command under the United States transmitted to the Secretary-General a special report (A/2228) on the status of the military action and the armistice negotiations in Korea for circulation to the Members of the General Assembly. The report briefly surveyed the course of military operations in Korea and stated that, at the time of reporting, the United Nations forces faced a Chinese-North Korean army of over a million men, mainly Chinese Communist forces, deployed in depth. These forces, the report said, were well equipped with artillery, tanks and other heavy military equipment. They had at their disposal an air force of 2,000 planes, mostly jet-engined, flown by competent pilots and based in Manchuria, from which they attacked United Nations aircraft operating within Korea.

The report further stated that the United Nations Command had not, as alleged in Communist propaganda accusations, attacked any territory outside Korea nor used bacteriological or chemical warfare weapons. The military operations of the United Nations Command had been conducted with the maximum respect for humanitarian considerations and for the lives of civilians. The report also surveyed briefly the course of armistice negotiations in Korea and contained the text of the draft armistice agreement which had been worked out by both sides, covering all agreed points (for text see below).

It reiterated the willingness of the United Nations Command to continue negotiations and concluded by stating that the United Nations Command with the forces currently at its disposal

was confident of its ability to contain a Chinese-North Korean offensive, should the Chinese-North Korean authorities choose that course of action.

It stressed, however, the importance of additional forces for the continued effectiveness of the United Nations forces.

ANNEX. DRAFT ARMISTICE AGREEMENT

REVISION OF 29 AUGUST 1952

The Unified Command in its special report of 18 October, to which was annexed the draft armistice agreement, stated as follows with regard to the Draft Agreement:

The attached draft agreement has no official status.

With the exception of the paragraphs noted below, the provisions of the attached draft armistice agreement have been tentatively agreed to by representatives of the United Nations Command and of the North Korean and Chinese Communist military authorities.

Paragraphs 51 and 54: The United Nations Command agreed to incorporate these paragraphs in the attached draft on the understanding that they would be interpreted in such a way as not to require the forcible repatriation of prisoners of war. The United Nations Command tentatively agreed to the wording of Article 51 on condition that the Communists agree that prisoners of war who would forcibly resist repatriation should not be considered as "held in the custody of each side at the time that this armistice agreement becomes effective", and that their names should not be included on the "lists which have been exchanged". The Communists have refused to agree to this interpretation, and have continued to insist on an agreement which would compel the United Nations Command to use force to repatriate prisoners who would violently resist repatriation. In the event of agreement on any one of the alternatives proposed by the United Nations Command on September 28, 1952, paragraphs 51 and 54 would require further amendment.

Paragraphs 13 and 37: In accordance with the UNC proposal of April 28, the texts of paragraph 13 and paragraph 37 are only conditionally agreed upon. The United Nations Command has made its agreement to the omission from paragraph 13 of a limitation on the construction and rehabilitation of military airfields conditional on Communist agreement to the United Nations Command position on prisoners of war (as set forth above) and on the composition of the Neutral Nations Supervisory Commission in paragraph 37. The Communists stated that they would agree to the United Nations Command position on the composition of the Neutral Nations Supervisory Commission if the United Nations Command would drop its insistence on the limitation on construction and rehabilitation of military airfields in paragraph 13. They did not, however, agree to the United Nations Command position on prisoners of war.

ARMISTICE

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. It is agreed that a Military Demarcation Line shall be fixed and that both sides shall withdraw two (2) kilometers from this line so as to establish a Demilitarized Zone between the opposing forces. It is also agreed that 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). The Military Demarcation Line is described by terrain features and by latitude and longitude in Annex A attached hereto.
3. The Demilitarized Zone is defined by a northern and a southern boundary as indicated on the attached map (Map 1). The northern boundary is described by latitude and longitude in Annex B attached hereto. The southern boundary is described by latitude and longitude in Annex C attached hereto.
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 at-

* The maps and the annexes referred to below are not included in the present volume.

tached may (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 or 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 prescribed 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 and destroy all fortifications in the Demilitarized Zone except as 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, shall be reported to the Military Armistice Commission by the Commander of the side whose forces emplaced such hazards. All such hazards shall be removed from the Demilitarized Zone as directed by and under the supervision of the Military Armistice Commission. Thereafter, except for 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 except for personnel authorized under paragraphs 10 and 11 hereof, no personnel of either side shall be permitted to enter the Demilitarized Zone.

(b) Within five (5) 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 PAENGYONG-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) and 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 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 replaced 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. 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 cooperation to the Military Armistice Com-

mission, 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 (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,

(h) 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) Jointly construct, operate and maintain a suitable airfield at the site of the headquarters of the Military Armistice Commission, for such uses as the Commission may determine.

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 cooperate 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, secretariat, 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 the clerical and specialized personnel required to assist 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 (4) nor more than (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 PAN-MUNJOM (37°57'29"N, 126°40'00"E). The Military Armistice Commission may relocate 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 communicating 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 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 reports 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 Com-

mission, 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, secretariat, 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 13 (c) and 13 (d) 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 13 (c) and 13 (d) of this Armistice Agreement as 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 Inspection 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 subparagraphs, 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 of 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° 25'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 the 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 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.

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. All prisoners of war held in the custody of each side at the time this Armistice Agreement becomes effective shall be released and repatriated as soon as possible. The release and repatriation of such prisoners of war shall be effected in conformity with lists which have been exchanged and have been checked by the respective sides prior to the signing of this Armistice Agreement. (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 purposes of this Armistice Agreement, be called "repatriation" in English, "SONG HWAN" () in Korean, and "CH' IEN 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. Seriously sick and seriously injured prisoners of war shall be repatriated with priority. Insofar as possible, there shall be captured medical personnel repatriated concurrently with the seriously sick and seriously 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 paragraph 51 hereof shall be completed within a time limit of two (2) months after this Armistice Agreement becomes effective. Within this time limit each side undertakes to complete the repatriation of all the 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 seriously sick and seriously 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 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 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

prisoners of war 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 the 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 prisoners of war.
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 newly added and those 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 are newly added or 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 "a" 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 the territory under his military control the content 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 content 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 "a" hereof and the movement of civilians provided for in sub-paragraph "b" 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 of 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 of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc.

Done at PANMUNJOM, Korea at hours on the ... day of 1952, in English, Korean, and Chinese, all texts being equally authentic.

KIM IL SUNG
Supreme Commander of
Korean People's Army

PENTE-HUAI
Commander of the
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 Chinese
People's Volunteers Delegation

WILLIAM K. HARRISON, JR.
Major General, United States Army
Senior Delegate, United Nations
Command Delegation

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 hours on 1952.

2. Other Communications Relating to the Korean Question

In addition to the communications dealt with in the foregoing section, two communications regarding the Korean question were issued as documents of the Security Council during 1952:

(1) A note dated 28 April (S/2617), in which the acting representative of the United States informed the Security Council that the President of the United States had on that date appointed General Mark W. Clark to replace General Matthew B. Ridgway as the Commanding General of the forces made available to the Unified Command pursuant to the Security Council resolution of 7 July 1950.

(2) A note dated 13 May (S/2633), in which the representative of the United States informed the Council that the effective date of the change in the Command was 12 May.

Four communications from the Minister for Foreign Affairs of the People's Democratic Republic of Korea were issued as documents of the General Assembly:

(1) A cablegram dated 17 October (A/C.1/720), requesting that representatives of the Democratic People's Republic of Korea be given an opportunity to participate in the discussion of the Korean question in the Assembly and declaring that the Government of the People's Republic would regard as illegal any discussion of the Korean question and decisions taken by the Assembly without such participation.

(2) Cablegrams dated 17 and 21 October (A/C.1/726), communicating the text of a letter dated 16

October, addressed by Generals Kim Il Sung and Peng Teh Huai to General Mark W. Clark, regarding the suspension of the armistice negotiations in Korea on 8 October, and the text of the draft armistice agreement completed during the negotiations.

(3) A cablegram dated 8 November (A/C.1/733/Rev.1), communicating the text of a statement by "The Central Committee of the United Democratic Patriotic Front of Korea", dated 4 November, containing a number of charges of atrocities by United States forces in Korea.

(4) A cablegram dated 28 November (A/C.1/735), expressing support for the USSR draft resolution (A/C.1/729/Rev.1/Corr.1/Add.1—see below).

Communications also issued as documents of the Assembly were:

(1) A letter dated 25 December 1951 (A/2038), from the representative of the USSR, transmitting a message from "The Central Committee, United States-British War Prisoners Peace Organizations in Korea", signed by nine American and British prisoners of war, requesting confirmation of the receipt of a declaration and an appeal sent to the United Nations under the same signatures, on 7 July 1951, in which the United States was charged with waging an aggressive war in Korea, while the United Nations was called upon to settle the Korean question peacefully by withdrawing all foreign troops from Korea. At the request of the USSR representative, the declaration and the appeal were also issued as documents of the Assembly (see A/2038, annexes).

(2) Cablegrams dated 14 and 17 December respectively (A/2354), from the Ministers for Foreign Affairs of the Central People's Government of the People's Republic of China and the Democratic People's Republic of Korea, rejecting the Assembly resolution of 3 December (see below).

(3) A cablegram dated 18 December (A/2357), from the Secretary-General of the League of Red Cross Societies, communicating the text of a resolution adopted on 13 December by the Executive Committee of the League, calling on the countries concerned to take immediate action for the repatriation of sick and wounded prisoners of war.

3. Reports of the United Nations Commission for the Unification and Rehabilitation of Korea

On 5 February the Assembly decided to defer consideration of the report (A/1881)⁴ of the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK) submitted to its sixth session (resolution 507(VI)).⁵ The Commission submitted a further report (A/2187) to the seventh session of the Assembly, covering the period from 5 September 1951, the date of the Commission's previous report, to 28 August 1952.

A substantial part of the report submitted to the Assembly's seventh session (A/2187) described the Commission's activities in connexion with its function of observing the development of representative government in the Republic of Korea. A detailed account was given of the controversy, continuing from previous years, between the Executive and the Legislature on the relative roles of each.

The report stated that, as the date of the presidential election approached in the summer of 1952, Members of the Assembly complained that the Government was ignoring the Legislature, while the Government complained that the Assembly would not pass the necessary legislation. The main aspect of the controversy revolved around the adoption of constitutional amendments advocated by the President of the Republic, Syngman Rhee, which provided for the direct election of the President by the people instead of by the National Assembly and for a bi-cameral legislature instead of a legislature of one house.

A Bill to this effect was rejected in the National Assembly on 18 January 1952 by 143 votes to 19, with 1 abstention. There was little criticism of the President or his administration and defeat of the Bill, the report said, did not necessarily mean that Mr. Rhee could not secure in the Assembly a majority for his own re-election when

the time came. It was only later when extreme pressure was applied by the Executive against the Legislature that opinion in the Assembly hardened against Mr. Rhee; many members came to oppose so strongly what they regarded as arbitrary and personal rule that they did not want to vote for any amendment to the Constitution until they had exercised their votes to elect someone other than Mr. Rhee, it was stated. The President argued that it was more democratic for each citizen to vote directly for the President than to have the National Assembly do so and that a second chamber would act as a brake on the first house of the Legislature. Against that, some of his opponents argued that in a new State, like the Republic of Korea, the people did not yet know enough about prospective candidates to weigh their merits and that, in any case, a "popular vote" was really a fiction as long as the incumbent controlled the police. The discussions, however, were not confined to the merits of the proposals, the report stated; the moves in the political struggle were greatly influenced by personalities and by competition for power and patronage.

After the National Assembly had rejected this Bill, the President expressed the hope that the public and the legislators would reverse this decision. He suggested that the Assemblymen should be "recalled by popular vote if they neglected the popular will in favour of their private interests". He thus launched a campaign which was an important element in the pressure brought to bear on the recalcitrant Legislature.

The report said that on 25 May "emergency martial law" was put into effect in Pusan and its vicinity, by the State Council (the Cabinet, presided over by the President). All power was vested in the Martial Law Commander, who issued a number of proclamations, the first of which attributed the need for martial law to "the enemy" who were pursuing "their scandalous plots without restriction, intercepting traffic and communications and disturbing the public mind". In later explanations it was said that martial law was imposed to counteract guerrilla activities.

The significance of martial law in Pusan, as distinct from other parts of the country, the report said, was that it placed the organs of central government under great restrictions. The Martial Law Commander claimed that he was responsible only to the President. He also claimed the right to arrest any government official, including mem-

⁴ For a summary of the report, see Y.U.N., 1951, pp. 230-31.

⁵ See Y.U.N., 1951, p. 237.

bers of the National Assembly. By the second day of martial law, over 50 of 183 members of the Assembly were under detention of some sort. The number who were detained very shortly dropped to twelve. Pressure continued to be brought to bear on the members, the report stated. The Assembly's supporters had great difficulty in making their views known because of the restrictions imposed by martial law, including rigorous censorship and the withholding of licences for certain meetings.

The President's opponents took the position that, if the Constitution and law were followed: the Assemblymen could not be detained; martial law could not be continued; and the dissolution of the Assembly, or the recall of individual members, threatened by the President, could not take place. President Rhee claimed that these objections were overridden by article 2 of the Constitution, which says: "The sovereignty of the Korean Republic shall reside in the people. All State authority shall emanate from the people." He claimed that it was the will of the people that the Assembly should adopt the amendments he had proposed; if it should refuse, it would mean that the members had ceased to be true representatives of the people, and the Assembly should be dissolved so that the people could elect new representatives. He said that, where the national existence of Korea was at stake, the Government had to depart, if necessary, from the strict letter of the law, the report stated.

Several attempts at a compromise proved of no avail and the members of important political parties ceased to attend the meetings of the Assembly, so that the quorum of two thirds, necessary for the adoption of any amendment to the Constitution, could not be obtained. On 2 July, however, the report stated, the Government announced that Assemblymen who failed to attend would be "guided and escorted" by the police to the Assembly. The police search began that evening, and those found were brought to the Assembly building. A plenary meeting was held on 4 July, attended by 166 members, and a Bill was passed by 163 votes to none, with 3 abstentions, providing for election of the President and the Vice-President directly by the people and for the establishment of a bi-cameral legislature. Some members protested against the procedure adopted and the pressure employed.

The Commission considered that a critical point had been reached with the proclamation of martial law in Pusan and the actions by the police against members of the Legislature, and, it stated, it had raised these questions in conversations with

the President and the Martial Law Commander. In a letter dated 28 May it stressed that it did not take sides in any internal political conflict, but that it was incumbent upon it to take action without delay if it became aware of any danger of violation of the Constitution and fundamental laws of the country. Martial Law, the letter continued, was maintained in spite of the Assembly having voted on 28 May by a great majority for its lifting. Article 49 of the Constitution and article 17 of the Law governing the Enforcement of Martial Law had not been observed. A number of Assemblymen had been arrested and were still under arrest, while others lived in fear of arrest or detention and were thereby prevented from attending meetings of the Assembly. It therefore urged the lifting of martial law in the city of Pusan and the release of any Assemblymen still under arrest or otherwise detained, the report stated.

In a detailed reply dated 31 May the President reiterated his arguments in favour of the constitutional amendments and stated that a group of Assemblymen had confessed that they had received money from the Communists to finance a plan to unify North and South after the Communist pattern, and that a proper prosecution of the case demanded keeping the involved Assemblymen under detention for the time being. As to martial law, he said, it had been proclaimed solely to counteract guerrilla activities.

The attitude of the Commission, it said, was supported by the United Nations Commander-in-Chief, as well as by the Governments of the United States, the United Kingdom, France, Australia and New Zealand, while a number of governments expressed to the Secretary-General their concern regarding developments in the Republic of Korea. The Secretary-General also expressed his concern on behalf of the United Nations and especially those Members providing assistance in Korea.

In a letter dated 31 May, in reply to the President's letter of the same date, the Commission reiterated its demands and stated that the United Nations, having taken up arms in defence of the Republic of Korea, had both a right and an interest to see that the Constitution of the Republic of Korea was faithfully observed, so that there would be no doubt as to the legitimacy of the Government of the country on whose behalf so many lives were being spent by other countries. It suggested that the political leaders of Korea agree to a "political holiday" of ten days, during which efforts to reach agreement could be pursued.

On 9 June the Commission called on President Rhee to discuss this letter. The President indicated that he could not agree to the Commission's

suggestion and said he expected the situation to be settled very soon. He based his case for the arrests on the alleged conspiracy and reproached the Commission for not believing in its existence. He said that his two proposed amendments to the Constitution must be adopted, and that this main issue must not be mixed with minor questions, the Commission reported. The Assembly would have already accepted his proposed amendments if it had not been for this conspiracy, which had caused the Assembly to reject them, he stated.

The Commission, the report said, thereafter continued to follow the situation closely, and kept in touch with Korean political leaders of all shades of opinion. Individual representatives of the Commission saw President Rhee on a number of occasions. Finally, the political tension was eased by the adoption of the Constitutional Amendment Bill on 4 July. On 15 July the Assembly passed legislation giving effect to the new constitutional provision for direct election of the President and the Vice-President. A Presidential decree set the election day for 5 August. Martial law in Pusan and several other districts was lifted on 28 July in order to "ensure as free an atmosphere as possible" during the elections. On election day President Rhee was re-elected, receiving 86 per cent of the votes of those registered (5,238,769) out of 7,033,633).

On 1 August, the day after the Court had given its verdict in the alleged conspiracy case, sentencing to imprisonment six men (none of them Members of the National Assembly), the Commission had a meeting with the United States Ambassador and the United Kingdom and French Charges d'Affaires, who, together with the Commission, had provided for international observation of the trial. The report said that the observers considered that: (1) there had been a miscarriage of justice in the sentences imposed; (2) the evidence and witnesses brought before the Court—at least in so far as the international observers had been allowed to see the evidence—did not justify such a verdict; and (3) the existence had not been proved of an international conspiracy involving Members of the National Assembly. It was decided that the United Kingdom Charge d'Affaires should call upon the President to make known the views of the international observers on some aspects of the case and to let it be known to the Government of the Republic of Korea that the presence of the observers throughout the trial and the fact that they did not make any public comment on the verdict did not imply international endorsement of the findings or agreement that the existence of the international conspiracy had been established. The United Kingdom Charge d'Affaires later had

an interview with the President in which the trial was fully discussed.

With regard to the re-election of Mr. Rhee as President of the Republic, the report stated that the Commission had sent several observation teams to different electoral districts. The chief criticism against the elections was the short time between the date when nomination commenced (26 July) and polling day (5 August). As it had only been decided on 4 July that there would be a direct election by the people, there had been little time for campaigning and the incumbent had had a big advantage. Although there undoubtedly had been some police interference in the campaign it had not made any significant difference as far as the choice of the President was concerned, the Commission stated.

The report said that in its progress towards democratic institutions, the Republic had faced great difficulties because of the lack of trained leaders, the absence of any political education of the mass of the people, and the psychological effects of 40 years of bondage superimposed on many centuries of feudal life. The war had disrupted the government machinery for many months. Millions had become refugees and special restrictions had had to be imposed in the interests of national security. The economic situation also had had a strong bearing upon the political situation. These conditions had inevitably affected not only the machinery of administration and politics but the state of mind and the conduct of those involved in them. The consequences in the political life had become particularly obvious in 1952 because of the prolonged clash between the Executive and the Legislature. The disturbing features in this case were the disregard of the Constitution and law, the attempted resort to "mob rule", and the use of martial law and government authority to limit freedom of political expression, the Commission said. It felt that some concern was justified in regard to the deterioration in democratic freedom in the Republic of Korea.

While the setbacks to democratic development had attracted world-wide notice, the advances during the year had sometimes been overlooked. On 25 April elections had been held for city and town councils which, in turn, had chosen the mayors; and on 10 May provincial councils had been elected. These elections, both held for the first time, were a step towards associating the people more closely with their own public affairs. The agreement on a constitutional amendment, the beginning of a new Presidential term, the progressive expansion of local government and international economic assistance all opened the way

for placing the political life of the Republic on a more stable basis.

With regard to the economic and financial situation, the report stated that the basic picture remained as in 1951. While no further destruction had occurred in the Republic itself as a direct result of the fighting, reconstruction had been limited, chiefly because shipping space had still had to be devoted primarily to military requirements and to importing basic necessities of life which could not currently be provided from Korea's domestic resources.

Inflation continued to be a most serious problem, imperilling the whole basis of relief and rehabilitation. Between May 1951 and September 1952 the note issue had almost doubled and the price of rice in Pusan had increased by more than eight times. This problem could be overcome only by joint action by the United Nations Command and the Government of the Republic, the report said.

Some reconstruction had been undertaken, mostly by the United Nations military authorities, in part for direct military purposes, such as communication facilities. Part of this reconstruction, particularly the rehabilitation of electric power, while of military importance, had been of even greater significance to the rehabilitation of the Korean economy. Despite some improvement, the economy of the country was still suffering greatly from the war and had not yet taken a major step towards recovery. Steady economic progress could be based on the work being undertaken, but inflation, weaknesses in the administrative machinery, the continued dislocation of population and basic difficulties arising from the division of the country and the destruction caused by the fighting were warnings against over-optimism.

The refugee problem during the previous year had differed radically from the problem in 1950-51, when millions of people were on the move. Refugees—persons displaced from their homes by the war—were estimated in March 1952 to total 2,618,000 in the Republic of Korea. They had been helped by supplies brought in and distributed by the United Nations Civil Assistance Command, Korea (UNCACK). The problem now was to look after those who had been away from their homes for over a year but were no longer fleeing. Very few of them wanted to settle permanently in their places of refuge, because they looked forward to returning to their homes some day.

The report further stated that, since the outbreak of hostilities, the estimated dollar value of supplies and equipment delivered in Korea by 31 July 1952 as part of the civilian relief and economic aid programme was \$195,855,562. To this amount should be added supplies and equipment provided by the United States Economic Co-operation Administration and the United States Army, as well as additional expenditures for services rendered by the United States military authorities, estimated to total approximately \$350 million.

Assistance in the field of public health had continued to be a major part of the activities of UNCACK, and no epidemic had occurred in the Republic of Korea during the period under review. The Command had also helped Korean officials to increase production, to provide basic welfare services and, in general, to re-establish normal community life. At the current stage of military operations, primary responsibility for international assistance rested with the United Nations military authorities; the United Nations Civil Assistance Command being the principal body operating in Korea. The role of the United Nations Korean Reconstruction Agency (UNKRA) was therefore limited for the time being to recruiting international staff for UNCACK, to long-term planning and preparation for the relief and rehabilitation of Korea, and to discussions with the military authorities and the Government of the Republic of Korea.

Setting out its general conclusions, the Commission emphasized that the strictly limited military objective of defeating the aggression against the Republic of Korea was distinct from the political objective of the United Nations, which continued to be the establishment by peaceful means of a unified, independent and democratic Korea. It remained as important as before that efforts were not relaxed to repel that aggression, and to help the victim recover from the devastation which it had brought about.

Finally, the Commission reaffirmed that even after the fighting had ceased, some political representation of the United Nations was needed in Korea—to observe and report on developments in Korea, to consult with and, whenever appropriate, to assist the Government of the Republic of Korea and to provide a continuing demonstration that the United Nations would protect legitimate Korean interests.

4. Consideration of the Korean Question by the General Assembly at the First Part of the Seventh Session

a. INTRODUCTION

At its 380th meeting on 16 October, the General Assembly decided to include in the agenda of its seventh session the item: "Korea: (a) Reports of the United Nations Commission for the Unification and Rehabilitation of Korea; (b) Reports of the Agent General of the United Nations Korean Reconstruction Agency." At its 382nd meeting on 17 October, it decided to refer sub-items (a) and (b) respectively to the First and the Second Committee for consideration and report. At its 406th meeting on 18 December, the Assembly decided to re-allocate sub-item (b) to the First Committee for consideration during part II of the seventh session.

The item was considered by the Assembly's First Committee at its 511th to 536th meetings from 23 October to 2 December and by the General Assembly at its 399th plenary meeting on 3 December when the reports of UNCURK (A/1881 and A/2187) were before the Committee. The representative of the Republic of Korea, who was invited to participate in the discussions, commented on some of the statements made in the Commission's report, and brief references to the report were made by other representatives. The debate, however, was chiefly concerned with: (1) the previous history of the Korean question and, in particular, the responsibility for the outbreak of hostilities; (2) the progress of negotiations at Panmunjom and the responsibility for the deadlock in those negotiations; and (3) the question of the repatriation of prisoners of war. The great majority of representatives considered that the first essential was to stop the war in Korea prior to any general discussion of the political issues involved, and that the only outstanding question preventing the conclusion of an armistice appeared to be the prisoners-of-war issue. They, therefore, concentrated on this question.

Five draft resolutions were presented in the First Committee:

(1) a joint draft resolution (A/C.1/725) by 21 Powers: Australia, Belgium, Canada, Colombia, Denmark, Ethiopia, France, Greece, Honduras, Iceland, Luxembourg, the Netherlands, Nicaragua, New Zealand, Norway, the Philippines, Thailand, Turkey, the United Kingdom, the United States and Uruguay; (2) a draft resolution by the USSR (A/C.1/729/Rev.1/Corr.1 and Rev.1/Corr.1/Add.1); (3) a draft resolution by Mexico (A/C.1/730); (4) a draft resolution by Peru (A/C.1/732); and (5) a draft resolution by India (A/C.1/734), to which amendments were introduced by: (a) Iraq

(A/C.1/L.3); (b) Greece (A/C.1/L.6); (c) Denmark (A/C.1/L.5); and (d) the USSR (A/C.1/L.4).

The debate in the First Committee opened with a survey by the United States, introducing the joint 21-Power draft resolution; it was followed by a survey by the USSR, introducing the Soviet draft resolution. Subsequent statements referred to these two surveys and replies were made, in particular by the USSR representative, to points raised in the debate. The Peruvian and Mexican draft resolutions were introduced later and, finally, the Indian draft resolution was introduced as a compromise and was given priority in the voting.

In view of the subsequent adoption of the amended Indian draft, the First Committee, at its 535th meeting on 1 December, agreed to defer further consideration of the 21-Power draft as well as the Mexican and Peruvian draft resolutions.

For ease of reference, matters are treated here in the following order: (1) questions referring to the report of UNCURK, in particular the statement made by the representative of the Republic of Korea; (2) the four draft resolutions which were before the Committee during most of its discussions; (3) the views expressed by representatives during the general debate prior to the introduction of the Indian proposal, treated according to the general line they adopted, rather than chronologically; (4) the Indian proposal and the views expressed on it; (5) the decisions taken by the Committee and the General Assembly; and (6) the report of the President of the General Assembly on the action taken by him pursuant to the resolution adopted by the Assembly.

b. CONSIDERATION BY THE FIRST COMMITTEE

At the beginning of its discussions, at the 511th meeting, the First Committee considered a draft resolution by Thailand (A/C.1/L.1) providing for an invitation to a representative of the Republic of Korea to participate in the consideration of the item without the right to vote.

The USSR, while agreeing to that proposal, also submitted a draft resolution (A/C.1/L.2) providing for a similar invitation to representatives of the People's Democratic Republic of Korea. The representatives of Australia, Brazil, Canada, Greece, the Netherlands, the Philippines, the United Kingdom and the United States opposed the USSR proposal on the ground that the Assembly should not give a hearing to the aggressor while he was engaged in aggression. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR rejected the view

that the People's Democratic Republic of Korea was the aggressor, and considered that opposition to invite its representatives was due to fear of hearing the truth about United States aggression in Korea, and unwillingness to move one step towards the solution of the Korean question. It was a matter of history as to who was the aggressor and who was the victim and now practical measures for the cessation of hostilities had to be discussed. How could representatives refuse to have anything to do with North Korea and simultaneously say that they wished to attain a peaceful settlement of a dispute to which it was a party?

The representatives of Burma and Pakistan, supporting the Thailand draft resolution, stated that they would also support the USSR draft in order not to let slip any opportunity of breaking the deadlock in Korea. The Indonesian representative considered that by negotiating with North Korea the United Nations had recognized North Korea as a party to a military conflict; he would therefore vote for both draft resolutions. The representatives of Chile and Syria declared that they would abstain in the vote on the USSR proposal, the former because he did not wish to assume responsibility for not exhaustively exploiting all possibilities for a settlement of the Korean question and the latter because he considered that an invitation to North Korea might create the false impression that the United Nations had changed its attitude since the previous session.

The Committee adopted the Thailand draft resolution by 54 votes to 5, with 1 abstention, and rejected the USSR draft resolution by 38 votes to 11, with 8 abstentions.

(1) Views Expressed by the Representative of the Republic of Korea and other Statements Referring to the Report of UNCURK

At the 518th meeting of the First Committee on 3 November the representative of the Republic of Korea made certain observations on the report of UNCURK (A/2187). He observed that three fourths of the report had been devoted to the internal developments in Korea—an allocation which did not fairly represent the nature and significance of the problems. To the Korean people, the economic and military problems and the international complications of the situation were of more importance than the report indicated, he said.

Discussing the political observations in the report, the representative of the Republic of Korea said that every good government required checks and balances between its executive, legislative and judicial branches. Until those checks and balances

were firmly established, individual freedom was never ensured. When they were disturbed, individual freedom was again exposed to danger, and until they were restored, no pain should deter the people in the struggle necessary for their restoration.

When the first National Assembly met in 1948, he said, its initial task was to draft a constitution. Because there was danger of attack from beyond the 38th parallel, and no one knew what capacities the Korean people might demonstrate for self-government, the National Assembly had decided to entrust the election of the President to its own members and to provide a single legislative chamber. It was regrettable that the Constitution was not drawn up by a separate body which would thereafter have been dissolved. The Constitution was drafted by a group of people intensely interested in endowing their own branch of government with more power than was its due. The representative of the Republic of Korea added that the National Assembly had repeatedly sought to encroach upon the authority of the administrative branch. The recent so-called "compromise amendments", under which the National Assembly was enabled to force the Cabinet to resign without running any risk of its own dissolution, were not satisfactory and required modification. Unless elected legislators were required to respond to the will of the people, they would be governed by their own special interests. That was what had happened in Korea.

When the time came for the election of a new President in Korea, the National Assembly had insisted upon retaining exclusively its power of election, the representative of the Republic of Korea said. The President had repeatedly stated his desire for constitutional amendments whereby that power of electing the President could be returned to the people, who had endured so much for the sake of democratic liberties, and whereby a bi-cameral legislative system could be set up. It was understandable, even though regrettable, that the National Assembly should have resisted all movements to curtail its powers. What seemed strange to the Koreans, he said, was that foreign representatives who were determined to protect democracy in their own homelands and who were charged with the duty of encouraging it in Korea should have lost sight of the larger issues involved and joined the National Assembly in decrying the extension of the sovereign right of election to the whole electorate.

Although the President of Korea had **been** charged with being dictatorial, he had proposed not to seize power, but to return it to the people.

The representative of the Republic of Korea remarked that perhaps the foreign observers had listened too attentively to the complaints of political opponents of the Government and had paid too little attention to the resolutions adopted in nine provincial assemblies and in more than 1,400 local councils, demanding acceptance of the proposed constitutional amendments.

While the nations fighting on the side of the Republic of Korea had sought to settle the issues by political negotiations at Panmunjom, he continued, Communist money was secretly brought to Pusan to be used in bribing members of the National Assembly to elect a President who would concur in a programme of political unification for Korea on terms acceptable to the Communists. In the midst of all the threats, pressures and demands, however, President Rhee resolutely insisted that the purely Korean issues in the conflict must be settled on conditions acceptable to Korea and that the Korean nation be headed by a President representing the will of the people.

Although there were many specific allegations in the Commission's report which he would like to refute one by one, the representative of the Republic of Korea said that perhaps it would suffice to state that most of the allegations dealt with what might have happened or with the Commission's fears concerning hypothetical eventualities.

If President Rhee and the people had bowed before the first rejection of the amendments by the National Assembly, Korea would have had a President who did not truly represent the people, he said. The National Assembly would have been split into warring factions. There would have been encouragement for factional divisions among the people and in the armed forces. Instead, the Constitution was amended by a vote of 163 to none. Four candidates stood for election to the presidency, of whom one was an avowed Marxist still. The fact that that candidate was not hampered in campaigning and received 800,000 votes was sufficient evidence of the fairness of the election. The fact that President Rhee received four fifths of the total vote, the representative of the Republic of Korea said, made clear the desires of the electorate. The election was over, and the Korean people were united to a higher degree than ever before. The people who had claimed that the legislative election of 1950 had showed that President Rhee lacked popular support had been refuted. In those few weeks the Korean people had taken a longer step towards true democracy than they had previously achieved in over 4,000 years of history.

Since the detailed analysis of every stage of the dispute concerning the constitutional amendments

occupied such a large proportion of the report, the representative of the Republic of Korea said, readers might miss the significance of the Commission's general conclusions. These were:

- (1) the elections held in Korea were a fair and free expression of the will of the Korean people;
- (2) despite all their burdens and problems, they had continued their steady and significant development of a truly democratic government;
- (3) a reorganization of political parties was under way, and that might bring new strength to political life;
- (4) one of the matters on which the Republic of Korea deserved special commendation was the continuance of the work of education in the face of immense difficulties;
- (5) there was a grim picture of suffering and devastation begun and prolonged by those who launched the aggression from the north;
- (6) the agreement on a constitutional amendment, the beginning of a new presidential term, the progressive expansion of local government, and international economic assistance all opened the way for the political life of the Republic to be placed on a more stable basis.

The representative of the Republic of Korea stated that the central fact in the thinking and feeling of the Korean people was that theirs was a sovereign and independent government, truly representative of its people and wholly determined to pursue to the death the objectives of a reunited, democratic and free nation.

The representative of the Republic of Korea stated that he regretted that very little was said in the report on restoring the unity of Korea. The Commission, as well as its two predecessors, had been charged with that essential task. On 7 October 1950, the General Assembly in resolution 376(V), had voted that peace and security should be restored in Korea and that elections should be held under United Nations observation to ensure a truly representative government of the unified nation. On that question the feelings of the Korean people had become more intense. Events had emphasized that leaving the northern half of the nation in the illegal possession of a foreign army determined upon its destruction was intolerable, he said.

Surveying the devastation caused by 28 months of war, he stated that, despite the need for rehabilitation, there had been tragically little reconstruction. Although the endurance of the Korean people was threatened by the worst possible economic conditions, they trusted that all the free nations would join them in their determination that victory was the only goal to be sought.

Stating his Government's position on the alternatives proposed by the United Nations at Panmunjom and in the Mexican proposal (see below), the representative of the Republic of Korea said that such measures would require the creation of a neutral area. Past experience, he considered, dis-

couraged the belief that such an area could be completely free from pressure. In the past, neutral areas had somehow fallen under Communist domination. The Kojé prisoner-of-war camps had also at one time been controlled from afar by Communists. His Government had no doubt that in any neutral area no non-Communist prisoner could safely exercise his own volition, whereas the Communist prisoners would be able to do so, individually and collectively. With regard to the Mexican proposal, his Government found it difficult to accept the idea of placing in the custody of a third party prisoners of war who refused to go home, because North Koreans who refused to be sent back to the Communists were loyal citizens of the Republic. His country could not agree that such prisoners should be treated like alien prisoners of war by being removed temporarily to a foreign country.⁶

References to the Commission's reports were made during the general debate by the representatives of Australia, the Byelorussian SSR, Cuba, the Netherlands, New Zealand, Sweden, the USSR, the United Kingdom, the United States and Yugoslavia, among others.

The representatives of Cuba and the United Kingdom stated that they found the reports objective and frank. The representatives of Australia, Sweden, the United Kingdom and Yugoslavia drew attention to the fact that the reports showed that there were certain features of government in South Korea, particularly in connexion with the administration of the country, which they were unable to endorse; the representatives of Australia and the United Kingdom, however, felt that it should be borne in mind that independence had only recently been gained by the Republic of Korea and that the aggression had subjected it to difficulties, including economic difficulties, not of its own making. It was stated by the representatives of Australia, the Netherlands and New Zealand that the United Nations should continue to be represented in Korea for some time after the cessation of hostilities, in order to help the Korean people bring about that country's recovery.

The representatives of the Netherlands and Sweden approved the attitude adopted by the Commission. The representative of the Netherlands said that while the Commission had tried not to intervene in any internal political conflict in the Republic of Korea, the Commission could not remain inactive in the face of the existing political situation; it had acted wisely in seeking to safeguard the principles of democratic constitutional government, bearing in mind that, besides the sacrifices made by the South Koreans them-

selves, a number of countries had also made sacrifices of men and materials and would be called upon in the future to give further assistance to the Republic of Korea. He stated that his Government agreed with the conclusions reached by the Commission in its reports. The representative of Sweden considered that undemocratic methods used by the South Korean authorities had had an unfavourable effect on the willingness of other countries to make contributions to the work of rehabilitation of Korea.

The representative of the United States said that in considering the reports of UNCURK, the Committee should take a long and broad view of the whole of the Korean question as it had developed from the beginning. He referred also to the economic burdens placed upon South Korea by the separation of the industrial area of the North, by the influx of refugees from the North and by the problems arising from the war.

The representatives of the Byelorussian SSR and the USSR, on the other hand, could not commend the work of the Commission.

The representative of the USSR stated that the Committee's consideration of the reports had, in fact, turned into a debate on the problem of bringing to an end the war imposed on the Korean people.

The representative of the United States, he said, had tried to pass over facts mentioned by the Commission because they would have denied the United States representative any possibility of praising the Syngman Rhee regime. The Commission itself, he maintained, had been unable to conceal the sanguinary character of that regime.

He charged that this regime, with the support of the United States, had, among other things, suppressed democratic elements and had resorted to police terrorism and mass executions. The living conditions of the people in South Korea had, he said, deteriorated, but wealthy landowners and industrial companies had increased their profits.

The representative of the Republic of Korea denied the allegations of the USSR representative. He stated, among other things, that steps had been taken not against the democratic movement but against people engaged in violently subversive activities, arson and murder. With regard to the failure of South Korea to be self-supporting in foodstuffs, he pointed out that land reforms had put an end to landlordism and said that the crop failures were due to the war and severe droughts.

⁶ For the views of the Representative of Korea on the Indian draft resolution, see under (4) below.

As for the unification and rehabilitation of Korea, the representative of the USSR stated that the Commission set up to help solve that problem had not carried out its mission. It seemed, in fact, as if the Commission had been set up to confuse world public opinion. Unification was impossible when a war leading up to the accentuation of the division of the country had been imposed on the Korean people. No rehabilitation could be envisaged while towns and villages were being constantly bombarded.

The representative of the Byelorussian SSR, maintaining that the Commission had been illegally established, said that its reports revealed it as the servant of the United States. It had attempted to justify that aggression to support Syngman Rhee and to spread lies about the People's Democratic Republic of Korea and the People's Republic of China. A number of representatives had praised the Commission as wise, dignified and honourable. In its reports, however, it had argued in favour of unification on the basis advocated by Syngman Rhee, namely the extension of the jurisdiction of the Government of South Korea. Even the Commission had been unable to ignore the corruption and had referred to the political disorders which had undermined the stability of the country, admitting that the disregard of law could lead to a form of dictatorship. The gentleness of the criticism was accounted for by the necessity for the Commission to represent the South Korean regime as a democratic one, he stated. The only reason, he said, why the Commission recommended the extension of the jurisdiction of the South Korean Government was its desire to aid the United States aggressors in dispelling the growing feeling throughout the world of the senselessness of the Korean adventure.

The Commission had done nothing to end the war, the representative of the Byelorussian SSR stated; instead it had demagogically asserted that reports of an armistice had produced widespread gloom in South Korea where there was a desire to wage war in order to unify the country. Thus, the Commission demanded the continuation of hostilities, as did the propaganda of Syngman Rhee. The reports were neither truthful nor unbiased, he maintained.

(2) Draft Resolutions Before the First Committee⁷

Draft resolutions before the Committee were as follows:

(a) JOINT 21-POWER DRAFT RESOLUTION

Under the terms of the joint 21-Power draft resolution (A/C.1/725) by Australia, Belgium, Canada, Colombia, Denmark, Ethiopia, France,

Greece, Honduras, Iceland, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, the Philippines, Thailand, Turkey, the United Kingdom, the United States and Uruguay, which came before the Committee at its 512th meeting on 24 October, the General Assembly would reaffirm the earnest intention of the United Nations to reach a just and honourable settlement of the Korean conflict and note, with approval, among other things: (a) the efforts of the United Nations negotiators to achieve a just and honourable armistice to bring an end to the fighting in Korea in accordance with United Nations principles; and (b) the principles followed by the United Nations Command with regard to the question of repatriation of prisoners of war, and numerous proposals which the United Nations Command had made to solve the questions in accordance with humanitarian principles.

In its operative part, the draft would:

(1) call upon the Central People's Government of the People's Republic of China and the North Korean authorities to avert further bloodshed by having their negotiators agree to an armistice which recognized the rights of all prisoners of war to an unrestricted opportunity to be repatriated and which avoided the use of force in their repatriation; and (2) request the President of the General Assembly to transmit the resolution to the Central People's Government of the People's Republic of China and the North Korean authorities and to report to the Assembly as soon as he deemed appropriate, during the current session, on the result of his action.

(b) USSR DRAFT RESOLUTION

Under the USSR draft resolution (A/C.1/729), submitted to the Assembly at its 514th meeting on 29 October as an alternative to the 21-Power draft, the Assembly, having considered the report of UNCURK, would consider it necessary:

(1) to establish a commission for the peaceful settlement of the Korean question consisting of the United States, the United Kingdom, France, the USSR, the People's Republic of China, India, Burma, Switzerland, Czechoslovakia, the People's Democratic Republic of Korea and South Korea; and (2) to instruct this commission to take immediate steps for the settlement of the Korean question on the basis of the unification of Korea, to be effected by the Koreans themselves under the supervision of the above-mentioned Commission, such steps to include extending all possible assistance in the repatriation of all prisoners of war by both sides.

At a later stage in the discussions the representative of the USSR introduced an additional paragraph (A/AC.1/729/Rev.1/Corr.1 and Rev.1/Corr.1/Add.1) to this draft resolution, by which the Assembly would recommend to the belligerents

⁷ For the Indian draft resolution (A/C.1/734), the amendments to it and the views expressed, see section (4) below.

in Korea an immediate and complete cessation of military operations on land, by sea and in the air, on the basis of the draft armistice agreement already approved, the question of the complete repatriation of war prisoners to be referred for solution to the proposed commission, in which all questions should be decided by a two-thirds majority.

(c) MEXICAN AND PERUVIAN DRAFT RESOLUTIONS

On 3 and 5 November, at the 518th and 519th meetings of the Committee, draft resolutions were submitted by Mexico and Peru, respectively.

The Mexican draft resolution (A/C.1/730), among other things, would request the President of the Assembly to invite, through the channels that he might deem appropriate, the Military Commanders of the North Korean and Chinese forces in Korea to consider the following general bases for the exchange of prisoners of war:

(1) prisoners held by either of the parties, who had voluntarily expressed their desire to return to the country of their origin, would be repatriated without delay upon the conclusion of the armistice;

(2) other prisoners who desired to establish temporary residence in other States would not return to the country of their origin until the coming into force of the decisions adopted in the political conference that would take place after the armistice, in conformity with the agreement reached by the Military Commanders, on point 5 of the armistice agenda;

(3) pending the entry into force of the decisions of this conference, the situation of the prisoners wishing to reside temporarily in countries other than their countries of origin, should be governed by the following rules: (a) the Assembly would negotiate with each State agreeing to participate in the plan envisaged in the resolution on the number of prisoners which such a State might be prepared to receive in its territory, as well as on the conditions inherent in their admission; (b) once the refugees were in the country of temporary residence, the authorities of that country should grant them a migratory status which would enable them to work in order to provide for their needs;

(4) when the time came for their repatriation in accordance with the provisions of (2) above, the authorities of the countries of origin would grant facilities for the return of the ex-prisoners of war and would furnish guarantees for the subsequent protection of their freedom and their lives; and

(5) in the case of those ex-prisoners of war who, by virtue of the resolution, were provisionally residing in another country and who expressed their desire to return to their country of origin before the provisions of paragraph (2) took effect, the United Nations would provide the means to carry their wishes into effect.

Under the Peruvian draft resolution (A/C.1/732), the Assembly would, among other things:

(1) set up a five-member commission, on which each of the parties to the conflict would be represented by one delegate; the Assembly, for its part, would appoint

two delegates to the commission and would invite the collaboration of a neutral State, not a Member of the United Nations, to be a member of the commission and to serve as its chairman;

(2) the commission would immediately take steps to co-operate in the repatriation of prisoners in accordance with their freely expressed wishes;

(3) prisoners not wishing to be repatriated would remain under the protection of the commission in a neutralized zone for so long as no provision had been made for their future; and

(4) the commission would propose to the United Nations at the earliest possible moment the most suitable measures for the final decision on the future of the prisoners remaining under its protection, one of the measures to be considered being their transfer to the territory of such Powers as were prepared to receive them, or their settlement in Trust Territories in agreement with the Administering Power concerned; prisoners would, in any event, be free to make a decision later concerning their return to their place of origin.

(3) Views Expressed in the first Committee

(a) UNITED STATES SURVEY AND VIEWS EXPRESSED IN SUPPORT OF THE 21-POWER DRAFT RESOLUTION AND AGAINST FORCIBLE REPATRIATION

The general debate in the First Committee was opened by the representative of the United States, who, among other things, gave a survey of past events in Korea, discussing the question of responsibility for the outbreak of hostilities, the negotiations for a cease-fire at Panmunjom and the responsibility for the deadlock in those negotiations. A number of representatives expressed agreement with the account given by the United States and disagreed with that given by the USSR (see below). Several representatives expressed support of the 21-Power draft resolution, and the majority opposed any forcible repatriation of prisoners of war.

Introducing the 21-Power draft resolution, the representative of the United States reviewed the history of the Korean question since the Cairo Conference of 1 December 1943. He said that early hopes for the establishment of a unified, independent and democratic Korea had been frustrated when, in the United States-USSR Joint Commission, the USSR had denied the right of the Korean people to free expression of their will. Consequently, the United States had in 1947 referred to the United Nations the matter of redeeming the pledges of Korean independence. The Government of the Republic of Korea had been established as the result of elections observed by the United Nations. But a "people's republic" had been arbitrarily established in North Korea and had never given its subjects an unfettered opportunity to decide upon its claim to rule, he stated.

Attempts had thereafter been made to subvert the Republic of Korea by political and guerrilla warfare while a United Nations Commission was being maintained in Korea to promote the country's unification.

The United States representative then reviewed the aggression against the Republic of Korea, and the role of the United Nations in the question, including achievement of its immediate objective to halt and throw back the aggression, and the establishment on 7 October 1950 of UNCURK to seek to bring about a unified, independent and democratic government for the whole country. He emphasized that the United Nations had done everything possible to bring about peace while the aggressors had done nothing but impede those efforts, and that the aggressors had friends in the United Nations who were present in the Committee and were active on their behalf.

These facts, he said, were cited to supplement the reports which his Government had submitted under the Security Council resolution of 7 July 1950 by which the United States had been asked to organize the Unified Command in Korea. The United Nations Command had also submitted a special report (A/2228) on 18 October 1952.⁸

In the negotiations for an armistice, he stated, the United Nations Command had had three main objectives: (1) to bring the fighting to an end on a basis which would achieve the purpose of repelling the aggression; (2) to secure the maximum assurance against a renewal of the fighting; and (3) to bring about a fair exchange of prisoners. After agreement had been reached on a military demarcation line and on a recommendation for a political conference, which would be held three months after an armistice and would discuss the withdrawal of foreign troops from Korea, the outstanding issues in connexion with arrangements for a cease fire and its supervision had at long last been reduced to the questions of the rehabilitation of North Korean airfields, the composition of an impartial inspection commission and the treatment of prisoners. The United Nations Command had put forward a package proposal, which provided: (1) that the Command would give up its insistence that the airfields should not be rehabilitated; (2) that the inspection commission would be composed of Sweden, Switzerland, Poland and Czechoslovakia; and (3) that no prisoner would be forcibly repatriated. That proposal had been rejected. From that time on, the discussions had revolved around the prisoner-of-war question. The United Nations Command would have been quite satisfied to have all prisoners returned, provided no humanitarian considerations prevented

such returns. Useful proposals had been made by the Government of Mexico and many others, but they had all come to grief upon the Communist insistence that prisoners must be forced to return.

From the very beginning, the United States representative said, the United Nations Command had observed the provisions of the Geneva Convention of 1949. It had promptly sent lists of prisoners to the International Committee of the Red Cross which, in turn, had sent those lists to the other side. Some 170,000 names had been sent in. Subsequently it was discovered that during the large-scale surrenders by the North Korean Army and the mass movement of refugees from the North, over 37,000 persons who were not prisoners at all had been sent into prisoner-of-war camps. These civilians had been reclassified and set free. The International Committee was later informed of those persons by name and a revised list, containing some 132,000 names, was given to the Chinese-North Korean side. Subsequent checking of the revised list revealed that some 11,000 of those listed there were citizens of the Republic of Korea improperly classified as prisoners of war, and they too were being released. The United Nations Command therefore had in custody as prisoners of war about 121,000 persons. On the other hand, the Chinese-North Korean practice had been not to inform the International Committee of the Red Cross or the United Nations Command, through any channel, of the names and numbers of prisoners of war, as required by law. When they finally had agreed to do so, they had listed 11,500, including all Koreans and all United Nations Command personnel. That was disappointing because, on 8 April 1951, the Chinese-North Korean side had announced over the radio that they had captured 65,000 prisoners in the first nine months of hostilities. When asked about the difference between the 65,000 and 11,500, they said the difference was accounted for by people who had been "re-educated" at the front so quickly that it was impossible to get their names. They had joined the North Korean Army.

The United Nations Command had also admitted the International Red Cross Committee to its camps, given it every facility to investigate and had promptly met any criticism. The other side, besides not giving lists of names, had, he said: (1) failed to appoint a protecting Power or body such as the Red Cross; (2) rejected the efforts of the latter to enter their camps; (3) refused to exchange relief packages; (4) until very recently, refused to exchange mail and now permitted

⁸ See pp. 165-66.

it only on a very limited scale; (5) refused to report on the health of prisoners; (6) refused to exchange the seriously sick and wounded as required by the Geneva Convention; (7) failed to give the accurate locations of their camps and failed to mark them properly; and (8) situated their camps in places of danger near legitimate military targets, in defiance of the Geneva Convention.

Turning to the origin of the question of the repatriation of the prisoners of war, the representative of the United States said that, as increasing numbers of prisoners were taken, it was learned that more and more of them believed that, if they were returned, they would be executed, imprisoned or treated brutally. They therefore took the position that if an attempt were made to exchange them, they would resist it by force. To the United Nations Command and to all governments whose troops were in Korea it was unthinkable that force should be used to drive into the hands of the Chinese-North Korean Command persons who would resist that return by force. So far as he knew, there had been no Member of the United Nations outside the Communist group that had ever suggested that it was right, proper, legal or necessary to return those prisoners by force. The magnitude of the problem had not been known until the interrogation period in April 1952. The numbers who held those views and the violence with which they held them made it clear that it would not only be highly immoral to force their return but that it would also require a military operation of no inconsiderable proportions. The representative of the United States added that the Unified Command had throughout taken the view that all prisoners in its possession were entitled to the opportunity to be repatriated, regardless of the vast numerical disproportion involved in the exchange.

In seeking a solution to the problem, the first step had been to find out what the prisoners thought and whether or not they would resist by force their repatriation, the United States representative said. The Communists now claimed that it was wrong to find that out, despite the fact that they had agreed to the interrogation in April 1952 and had issued an amnesty proclamation, to influence, if possible, the decision of the prisoners. The prisoners had been encouraged to agree to repatriation; warned of the possible consequences to their families in the Communist area if they did not return; and given no promises about their future if they were not repatriated. If there was doubt whether a prisoner would resist repatriation, he had been put in the group which

had agreed to return home. Only when an interrogator was convinced that the prisoner would violently resist repatriation had the prisoner been classified as not available for repatriation. The original screening of prisoners of war in April 1952 had applied only to those in camps where such interrogation was permitted. In some of the camps, the Communist leaders had refused to permit any interrogations and such interrogations had not been possible until later. The first results had shown that 70,000 would be available for repatriation. In camps in which it had not been possible to carry on an interrogation, it had been estimated that most of the prisoners would want to return. Even in such camps, however, 1,000 prisoners had escaped from their leaders at the earliest opportunity. A considerable number who had attempted to escape had been murdered by their own fellow Communist prisoners. Subsequently, the United Nations Command had completed the interviewing of all prisoners and reported that 83,000 (76,600 Koreans and 6,400 Chinese) were available for repatriation. The United Nations Command had said over and over again that it was willing to have that screening redone by any impartial body in the world. When those figures had been announced, the Communist leaders had inspired disturbances at the Kojé camps in order to discredit the United Nations Command and the interrogation.

Turning to the repatriation question in the light of international law and practice, the United States representative stated that the United Nations Command had fully and faithfully abided by the provisions of the Geneva Convention, according to which—subject to special agreements which did not derogate from the rights of prisoners—"the prisoner shall be released and repatriated if he is sick and it is established that he is out of the battle". The others were to be dealt with at the end of hostilities. The ordinary presumption, which was true in a large number of cases, was that the prisoner wanted to go home. The Geneva Convention gave the prisoner the right and the opportunity to do so. On the other hand, there was nothing in that Convention to imply that a prisoner of war must be forced at the end of a bayonet to go back when he did not want to go. That very question, he stated, had been discussed in 1949 when, with a view to enlarging the existing recognized international practice, some delegates had claimed that the Convention should give the prisoner of war the absolute right to stay, if he so wished, in the detaining State. This proposal had been rejected and the Convention had maintained the practice that the

detaining State retained discretion to grant or refuse asylum. The right of a Power to grant asylum to prisoners of war which it detained and the thesis that forced repatriation was in no way admissible had, moreover, been recognized by the Soviet Union itself in the Brest-Litovsk Treaty and in numerous other treaties signed between 1918 and 1921.

The representative of the United States emphasized that the following alternative procedures had been offered during the armistice negotiations by the United Nations Command in connexion with its package proposal: (1) joint Red Cross teams from both sides, with or without military observers from both sides, should be admitted to the camps of both sides to verify whether alleged non-repatriates would, in fact, forcibly resist return to the side from which they come; (2) all prisoners of war on both sides should be delivered in groups to a neutral area and should there be given an opportunity to express their attitude towards repatriation. That attitude could be expressed to and ascertained by any one or any combination of the following groups: the International Committee of the Red Cross; teams from impartial nations; joint military teams from the Communist side and the United Nations side; or joint Red Cross teams. On 28 September 1952 three variations of the latter suggestion had been made. One was that the armistice agreement should state that all prisoners were entitled to be released and repatriated. The obligation of the two military sides would be discharged by taking a prisoner to the agreed neutral place, where he would be identified and his name checked against the agreed list of prisoners of war, and at that time any prisoner who indicated that he wished to return to the side which had detained him would be permitted to do so and would be released. The United Nations Command had thought that that suggestion met almost all difficulties. Another suggestion was that prisoners who would not resist repatriation should be expeditiously exchanged, and all prisoners who had indicated that they would forcibly resist repatriation would be delivered to the demilitarized zone in small groups, where they would be entirely free from the military control of either side. They would then be interviewed by representatives of a mutually agreed country or countries not participating in the Korean hostilities, and they would be free to go either north or south. Yet another suggestion was that there would be no interviewing. The prisoners would be taken in small groups to the neutral zone and told that "that was North Korea and

that was South Korea" and would be allowed to go whichever way they wished.

Those suggestions, the representative of the United States said, had all been rejected on 8 October. The USSR representative had stated a number of times that, on that date, new proposals had been introduced by the Chinese-North Korean side, but the fact was that they were the same as those made for the last five months. The senior United Nations armistice negotiator, General Harrison, had therefore recessed the discussions at Panmunjom, while expressing his willingness to return at any time when the Chinese-North Korean side either indicated that it would accept one of the United Nations proposals or present new proposals of its own in good faith. Nothing of the kind had happened. As to the proposals contained in the letters from the Chinese-North Korean side, the texts of which were included in a communication dated 20 October 1952 (A/2230) addressed to the Secretary-General by the United States representative, they also amounted only to a reiteration of the principle of forcible repatriation.

The United States delegation and some of its associates in the United Nations believed therefore, said the United States representative, that a preliminary step in the consideration of the Korean question was to determine, if possible, whether the Communists really wished to have an honest armistice in North Korea. It seemed to them that it would be wise to have the General Assembly affirm the principle of non-forcible repatriation as representing the will of that body. To that end, the United States delegation had joined with the delegations of the 21-Powers in presenting a draft resolution (A/C.1/725).

In the subsequent discussions, a number of representatives expressed agreement with the account of events given by the United States. Representatives of countries with forces in Korea, in particular, stressed their support of the principle of collective security in accordance with the provisions of the Charter. The majority of representatives also opposed the forcible repatriation of prisoners of war and supported the United States interpretation of the Geneva Convention as not providing for such forcible repatriation.

On this point, the representative of the United Kingdom stated that article 118 of the 1949 Geneva Convention provided that prisoners of war should be released and repatriated without delay after the cessation of hostilities, and that this meant that the release of the prisoners should precede their repatriation. Forcible repatriation would involve precisely the opposite of release,

since it would necessitate continued detention of the prisoners until they were delivered to the authorities of their own countries. As to article 7 of the Convention,⁹ its obvious purpose was to prevent prisoners from being forced by the detaining authorities to renounce their right of repatriation, the United Kingdom representative said. The authors of that provision had certainly not intended, however, to impose on States the obligation of delivering prisoners to political persecutors. The concept of forcible repatriation introduced an element foreign to the normal idea of repatriation. A detailed study of the Convention led irresistibly to the conclusion that it had been drawn up in the interests of the prisoners of war and in order to protect individual rights. The aim of the United Nations Command, he emphasized, was not an arrangement for allowing prisoners to decide arbitrarily where they wished to go, but one under which they should not be compelled to go to a country where they thought that their lives and freedom would be in danger. He invited the representative of the USSR to state frankly: (1) whether he agreed that the only current obstacle to the conclusion of an armistice was the question of whether all prisoners of war must be repatriated, if necessary by force; (2) whether the Government of the USSR considered that all prisoners of war must be repatriated, if necessary by force; (3) whether he interpreted the letter sent to General Clark, the Commander-in-Chief of the United Nations Command, on 16 October 1952 by the Supreme Command of the Chinese-North Korean armies as a demand for the repatriation of all prisoners of war, by force if necessary; and (4) if he thought that the letter referred to contained new proposals, would he state them.

In connexion with the screening of the prisoners of war, the representative of the United Kingdom affirmed that he had observed on the spot that a large number of prisoners had considered that their lives might be in danger if they were forced to return to their country. He added that he had inquired about the methods used during the screening and had found that the procedure had been a genuine endeavour to ascertain the true state of mind of the prisoners. The representative of Peru also observed that even if it were true—which he maintained it was not—that some pressure had been exercised by the United Nations Command against the prisoners, it was the future that should be considered, and the repatriation commission could be relied upon to discharge its functions honestly with due respect for the Geneva Convention.

The representative of France said that the repatriation of all prisoners on the conclusion of hostilities ought to remain the general rule. The rule had developed in a period when national wars had not been ideological in character and it had been scarcely conceivable that a prisoner should prefer exile to repatriation. It was also designed to prevent a victorious country from abusing its power to retain prisoners indefinitely. It would be a distortion, however, of both the aim and the scope of the Geneva Convention to turn the inalienable right of all prisoners to repatriation into an obligation to use force or violence in order to repatriate them against their will. That principle could not be extended in such a way as to defeat its own purpose. The problem might perhaps be solved on the basis of principles similar to those followed by the English-speaking countries with regard to conscientious objectors, principles which endeavoured to reconcile respect for the individual with the demands of national duty. Conscientious objectors were granted an exceptional status only after a long and thorough inquiry into the sincerity and compelling nature of their religious or philosophical convictions. Those principles seemed to have been respected by the United Nations Command. Each of the proposals submitted by the Command would enable Chinese and North Korean observers to check each individual case and would give them an opportunity to persuade each of their fellow-countrymen to return home. Hitherto, however, those proposals had been rejected en bloc.

The representatives of Australia, Belgium, Canada, Colombia, Ethiopia, Greece, the Netherlands, New Zealand, Nicaragua, the Philippines, Turkey and Uruguay also expressed their views as co-sponsors of the 21-Power draft resolution. They endorsed the statement of the United States representative and stressed that, while each prisoner had the right to be repatriated, nothing could be found in international law supporting the principle of forcible repatriation and, particularly, that since the whole purpose of the Geneva Convention was to protect the interests of the prisoners, it could not be argued that giving them more favourable treatment than demanded by that Convention was forbidden by the Convention. They also stressed that, in order to allay all fears that pressure might be applied to induce prisoners to refuse repatriation, it was necessary

⁹ Article 7 of the Geneva Convention declared that "prisoners of war may in no circumstances renounce in part or in entirety the rights secured to them by the present convention and by the special agreements referred to in the foregoing article, if such there be".

to place them in a position where their decisions would be free from all constraint. The 21-Power draft resolution offered, in their view, many possibilities for a solution, if the parties were honestly willing to co-operate. The representative of Canada observed that if there were any basis for the charges of terrorism on the part of the Unified Command to force the prisoners to refuse repatriation, the Unified Command would be making every effort to prevent a free expression of views by prisoners before impartial bodies, rather than propose an impartial investigation.

Support for the draft resolution was expressed by the representatives of China, Costa Rica, Cuba, the Dominican Republic, El Salvador, Panama and Sweden. As regards the ultimate objectives of the United Nations in Korea, its unification and rehabilitation, which a number of representatives had called to the attention of the Committee, the representative of China said that the present armistice negotiations were desirable only in so far as they constituted a step towards the restoration of and not an obstacle to peace. An armistice was not an end in itself. What was more important was that adequate safeguards be provided for the security of the Republic of Korea.

The representative of Israel emphasized that the United Nations objective in Korea was, in fact, the political unification of that country by peaceful methods, not necessarily by the use of force. In that connexion, recent statements by the Government of the Republic of Korea appeared to indicate that it failed to recognize the objective and the limitations of the action undertaken by the United Nations in the peninsula.

The representatives of Egypt, Israel, Lebanon, Pakistan and Yugoslavia endorsed the principle of non-forcible repatriation of prisoners of war. The representative of Pakistan observed that the Geneva Convention clearly stipulated that prisoners were entitled to demand and obtain repatriation but was silent on the particular problem before the Committee for the reason that the problem had not existed nor had it been foreseen at the time. It was essential, however, to bring hostilities to an end while the problem of repatriation was subjected to thorough study, he said. The representative of Israel suggested the inclusion in the 21-Power draft resolution of a statement stressing that there could be no question of forcible retention of prisoners of war.

Some representatives also stated that forcible repatriation would constitute a violation of the Universal Declaration of Human Rights adopted by the General Assembly in 1948.

The representative of China said that the so-called Chinese volunteers in Korea were either regular units of the Chinese Communist forces or persons impressed into the service by the Chinese Communist regime in Peiping. It was known, however, that a number of them did volunteer to go to Korea in the hope that they might work themselves across the lines and surrender to the United Nations forces and thus regain their freedom. It was hardly necessary for him, he said, to point out that no request of any kind had been made by his Government for the repatriation of Chinese prisoners of war to Taiwan (Formosa). It was premature in any case for such requests to be made by any government at the present stage.

He doubted seriously if the Communists would ever agree to the principle of voluntary repatriation. It was their design that those prisoners who dared to choose freedom should be returned and liquidated so that, in future wars of aggression, they would not encounter any defection. That, he considered, was why they had rejected the reasonable proposals made by the United Nations Command.

At the close of the general debate, the United States representative stated, *inter alia*, that the discussion had shown a wide agreement on the following points: (a) aggression had been stopped; (b) there would be no need for or purpose in continuing hostilities if the aggression ended, provided there were safeguards that aggression would not be renewed and an honourable agreement were reached on the military questions leading up to an armistice. He also called attention to the approval evinced of the efforts of the United Nations Command in the armistice agreement and the almost complete unanimity among delegations that force should not be used either to return or to detain prisoners of war.

Stating that the sponsors of the 21-Power draft resolution welcomed other constructive suggestions, he referred to the valuable contributions made by the Mexican and Peruvian proposals as well as by other delegations. He criticized, however, the stand taken by the USSR representative (see below), stating that he had resorted to every technical legal argument to extract from a treaty, the Geneva Convention, results which supported the Communist stand on the prisoner question, on behalf of China and North Korea, which had violated almost every provision of that Convention.

The USSR draft resolution was not helpful, the United States representative said. It did not accept the principle that no force should be used. It

confused military and political questions. There could be no cease fire which did not provide for the return of the United Nations Command prisoners and settle the prisoner-of-war question.

During the discussions, other supporters of the 21-Power draft resolution also criticized the USSR draft.

The representative of Canada considered that it was vague and did not seem to address itself to the problem blocking the armistice. By calling for the establishment of a commission, it only added to the confusion. He asked: (1) when, where and by whom would the prisoner-of-war issue be discussed if the USSR draft resolution were adopted? (2) would the progress made at Panmunjom have to be abandoned and entirely fresh negotiations undertaken by the commission? (3) would the commission be created before an armistice had been reached, or would the cease-fire talks continue while the commission discussed other problems related to the "peaceful settlement of the Korean question" which both sides had agreed to do within three months of an armistice? and (4) were the political discussions to begin before an armistice, or would the commission come into being only after an armistice? He considered that, in the absence of further explanation, there seemed to be nothing new in the Soviet Union draft resolution. At the previous session, he recalled, the Assembly had decided to defer consideration of the Korean situation until there was an armistice. That priority surely still obtained.

The representative of Israel, supporting that statement, suggested that, instead of voting immediately on the USSR draft resolution, the Assembly should recommend that consideration of that proposal should take place in strict accordance with paragraph 60 of the tentative draft armistice agreement, namely within three months from the effective date of the armistice and possibly during a special session of the Assembly, which could consider the composition and terms of reference of a commission which might institute a political conference in accordance with the objectives of the USSR draft resolution.

Among the representatives who opposed the argument of the representative of the USSR that a prisoner of war remained duty bound to the State to whose military forces he belonged when taken prisoner (see below), the representative of Peru stated, inter alia, that no national link bound the South Koreans enrolled by force in the North Korean army and similarly no link of the fatherland existed between the Chinese "volunteers" and the State of North Korea. Furthermore, if the representative of the USSR now spoke about

a State link between the Chinese "volunteers" and the Government of the People's Republic of China, he would refute his delegation's own emphatic affirmations in 1951 regarding the complete absence of State relations between the Government of Communist China and the Chinese "volunteers".

The representative of Australia observed that the great majority of the Members of the United Nations believed in human freedom and considered it inconsistent with their concept of humanity, as well as the concept of human rights set down in the Charter, that force should be applied to compel a prisoner of war to return home. The contrary viewpoint was based, he said, on the concept of a totalitarian State. It was that the citizens of a State had no rights, except through the State, and that prisoners of war belonged to the State from which they had been captured and to which they had to be returned.

(b) **USSR SURVEY AND VIEWS EXPRESSED IN FAVOUR OF THE USSR DRAFT RESOLUTION AND OPPOSING THE 21-POWER, THE MEXICAN AND PERUVIAN DRAFTS**

The representative of the USSR, whose statement followed that of the representative of the United States at the opening of the general debate, also gave an account of past events in Korea and discussed the question of responsibility for the outbreak of hostilities. The views expressed in this statement, which were in opposition to those expressed by the representative of the United States, were supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, who also declared their support for the Soviet draft resolution.

These representatives also expressed criticism of the 21-Power draft resolution as unlikely to lead to a settlement in Korea, and of the Mexican and Peruvian draft resolutions.

The representative of the USSR considered that the review of the Korean question by the representative of the United States was a complete distortion of events since the Cairo Conference in 1943. After the Second World War, he said, the United States had wanted to stifle the South Korean democratic movement towards the unification of the country and towards independence on the basis of democratic institutions. The United States had decided to violate its obligations towards its allies and the co-signatories of the Moscow Agreement and in order to perpetuate the division of Korea, they had alleged that agreement with the USSR was impossible and had accordingly ceased all co-operation with the Soviet Union in Korea. The allegations of subversive action directed

against Syngman Rhee were merely an attempt to divert popular opinion from the anti-democratic methods applied in South Korea by the United States authorities with the support of reactionary elements, feudal landowners and notorious collaborators with Japan. The attack by the South against the North had been premeditated and the attempts of the United States delegation to deny that aggression had failed in the face of the evidence furnished by the USSR delegation at the fifth session of the General Assembly.

Turning to the question of the prisoners of war, he stated that ever since 12 December 1951 the Chinese-North Korean Command had been proposing that prisoners of war of both sides should be released and repatriated as soon as possible after the armistice was signed, that repatriation commissions should be set up and that lists of war prisoners should be exchanged. Instead of answering that proposal, the United States delegation had issued an ultimatum concerning both information on war prisoners and inspection of prison camps by the International Committee of the Red Cross. On 18 December the Chinese-North Korean Command had submitted a list of 11,500 prisoners, and the United States Command had submitted a list of 132,000 prisoners, although earlier it had given the International Committee of the Red Cross a list of 176,000 names. The representative of the United States had explained that the difference of some 44,000 between the two totals was due to the fact that some prisoners had been released as civilian internees of South Korea. That was a strange explanation, since any prisoner of war could be regarded as a former civilian. There had then been a second explanation—that the 44,000 prisoners were really South Koreans who had been mobilized into the North Korean armies. The United States delegation to the armistice negotiations had finally been forced to submit the necessary information on more than 132,000 prisoners. There was a discrepancy between that figure and the latest figure of 121,000 prisoners given by the representative of the United States. The reason for the difference had become apparent from the statement on 30 December 1951 by the United Nations Commander, General Ridgway, that nearly 7,000 Korean and Chinese prisoners had died in United States camps. All that, as well as the United States demand for an exchange of prisoners on the basis of equal numbers, had had an adverse effect on the course of the negotiations, he said.

The greatest obstacle, however, had been the demand of the United States that the International Committee of the Red Cross should be empowered

to make certain that the decision of war prisoners and civilians in favour of repatriation had not been made under duress, the representative of the USSR stated. Such a demand ran directly counter to the principles of international law. The Chinese-North Korean Command had naturally rejected such demands, together with the United States proposals that all prisoners of war who had been citizens of South or North Korea before 25 June 1950 should be regarded as civilians. The purpose of that scheme had been to detain such prisoners of war, reclassified as civilians, and to use them in the armed gangs of Syngman Rhee and Chiang Kai-shek. On 21 March 1952 the Chinese-North Korean Command had made another attempt to reach an agreement. It had proposed that, immediately after the armistice, the 11,500 prisoners in North Korean hands and the 132,000 prisoners in United States hands should be released after the lists of names had been checked by both sides. On 25 March the United States Command had said that those proposals might provide the basis for a solution. Accordingly, the Chinese-North Korean Command had submitted a concrete proposal for the return to their places of residence of all war prisoners of other than Korean nationality who were in the hands of either side, and Korean war prisoners whose place of residence was not under the control of the side whose prisoners they were. The Korean war prisoners whose place of residence was in territory occupied by the side whose prisoners they were need not be exchanged if they wished to return home and lead a peaceful life.

During the negotiations from June to September 1952, the representative of the USSR continued, the parties had agreed in principle on: (1) article 51 of the draft armistice agreement, concerning the release and compulsory repatriation of all war prisoners on the basis of lists to be exchanged and verified; and (2) on article 52, providing that no released war prisoner could take part in future military operations. After first stating that it had 132,000 war prisoners in its hands, and then reducing that figure to 121,000, the United States delegation had proposed to repatriate only 83,000 Korean or Chinese prisoners. The Chinese-North Korean delegation had pointed out that the intention of the United States to retain a large number of war prisoners was contrary to those articles. The United States delegation, however, had declared that its proposals were final. In that connexion, the representative of the USSR recalled that, on 5 February 1952, the United States delegation had said that there would be no compulsory repatriation or exchange.

Events had shown, he said, that at that point the United States Command had taken steps to ensure that it would be able to retain war prisoners by force. The prisoners had been forced, by systematic terror and compulsion, to sign declarations that they did not wish to be repatriated. The United States Command had insisted on repeated interrogations, which showed both that the first interrogations had not had the desired results and that the United States Command was using coercion and pressure, contrary to the principles of international law. The representative of the USSR quoted a report of the International Committee of the Red Cross, published in the April 1952 issue of the *Revue internationale de la Croix Rouge*, which, he said, spoke of the unbearable regime in the American camps and described the bloody events of February and March 1952 in the camp on Kojé Island. The report drew particular attention to the police methods and the brutality of the American troops. In the light of the action taken by those troops at dawn on 18 February 1952 against prison camp No. 62, the assertion that Communist agitators or leaders had committed acts of terrorism to force prisoners to be repatriated was hollow mockery. The document entitled "Our life is in danger. Help us to get out of this American Hell", signed by 6,600 prisoners on Kojé Island, he said, also related the story of a series of massacres and pogroms between 19 and 23 May, during which hundreds of prisoners had been wounded, killed or hanged in camps Nos. 66 and 76 on Kojé Island. More executions had taken place on Cheju Island on 2 October while the Chinese had been celebrating the third anniversary of their Republic. The claim that the truce talks in Korea were being hampered because a certain number of prisoners did not wish to be repatriated only masked the attempt made by the United States commander to oblige prisoners to waive repatriation and to impose on them a preliminary screening, he said. Neither the principles nor the practice of international law allowed compulsory interrogation and screening by force, as both of those actions were designed to deprive prisoners of war of the right to be repatriated.

The representative of the USSR said that the question of prisoners of war should be examined from three different aspects—moral, political and legal.

Morally, one should be guided by the principle that prisoners of war must freely express their wishes. It was clear, he said, that a defenceless man such as a prisoner of war did not have freedom of choice between remaining where he was or returning to his country. Propaganda, pres-

sure and even violence might greatly alter his wishes. From the ethical point of view, all attempts to make the prisoner state his choice in that connexion should therefore be ruled out on principle.

From the political point of view, he added, a classification of prisoners of war into two groups—those who wished to be repatriated and those who did not—would undermine the political rights of States. It would be too easy to use against their country of origin those who did not wish to be repatriated.

Dealing with the argument of the United States representative that in some instances the USSR had not insisted on the return of all prisoners, the USSR representative said that the United States representative had referred to selected provisions of only some treaties, and had refrained from mentioning those which did not support his theory. On the other hand, he had not taken into account the historical events behind the treaties he had cited. Those agreements, in fact, represented the balance sheet of the fight which the new USSR had had to make against the old capitalist States which wished to destroy it. The real meaning of a treaty could not be understood by taking it out of its historical context. For instance, the Brest-Litovsk Treaty, which the Soviet Government had been compelled to sign, was one of the most predatory and forced treaties in history. The young Soviet State did not then have sufficient strength to oppose such demands.

The guiding principle of international law concerning prisoners of war, he said, was based on two facts: (1) the natural presumption that each prisoner of war wished to return to his country of origin, and (2) that the pacific settlement of disputes must not be delayed by the question of the repatriation of prisoners. It was essential that they should not be made the victims of unlawful or merely unreasonable measures which would deprive them of their right to repatriation. Article 118 of the Geneva Convention of 1949 stated that prisoners of war should be released immediately after hostilities had ceased and that, in the absence of provisions to the contrary in the agreements concluded by the parties in conflict, each of the Powers holding war prisoners should immediately implement a repatriation plan in conformity with the principles set out in the previous articles. Article 7 of the Convention provided that war prisoners could in no case waive the rights secured to them by the Convention. The text was mandatory on that point. The USSR representative recalled that the wording had not been adopted without certain difficulty.

The Austrian representative, he said, had made a suggestion diametrically opposed to that text and had tried to establish the right of prisoners of war to waive the right to return to their own countries. The USSR delegation had at that time taken a strong stand and had been fully supported by the United States delegation. The guiding principle of international law in that question should therefore be sought in the texts of those agreements. Article 7 of the Convention settled the whole matter, but not in the way presented by the representative of the United States in the First Committee. The Conference of 1949 laid down that it was the sacred right of every citizen to be able to return to his country. It was criminal to resort to plots and pressure—not to mention executions and violence—to prevent the person concerned from using that right.

The representative of the USSR also referred, among other things, to the Treaty of 1898 between Spain and the United States, to article 220 of the Treaty of Versailles, and to the Armistice concluded with Bulgaria, Romania and Hungary at the end of the Second World War which provided for the exchange of all prisoners of war without any reservation. The same principle, he said, was to be found in the text of the Peace Treaty signed with Italy and the German and Japanese Acts of Capitulation. The standards of international law excluded the theory which the United States Government wished to apply. The generally applied standards were also supported by legal doctrine.

The representative of the USSR said that the draft resolution (A/C.1/725) submitted by the United States and certain other countries taking part in the Korean war must be rejected as it would not lead to the peaceful settlement sought. The principal task in Korea was to end the war. The proposals submitted by the Polish delegation¹⁰ (A/2229) were fully in keeping with that idea. The representative of the USSR stated that he wished to remedy the situation created by the fact that the First Committee in drawing up its agenda had decided, at its 510th meeting on 22 October, to consider these proposals separately at a later date. He had therefore submitted a draft resolution (A/C.1/729/Rev.1/Corr.1 and Rev.1/Corr.1/Add.1).

Replying later in the debate to criticisms of this draft resolution, the representative of the USSR re-emphasized certain points he had made in his general survey. Among other things, he stressed: (1) that the true obstacle to peaceful settlement lay in the fact that the United States High Command was resorting to force and pressure to ensure

that Chinese and Korean prisoners should remain in American hands; (2) that the screening procedure used by the United States Command was not impartial since the reply to the questions was indicated and ordered in advance—it was aimed at provoking prisoners against their own country; (3) that the United States, by insisting on the adoption of an unreasonable principle, was, in effect, presenting an ultimatum whose inevitable results must be the breakdown in negotiations and the continuation of the war; (4) that other delegations whose countries were participating in the Korean war only desired to help American ruling circles get out of the embarrassing situation in which they had placed themselves by making war on the Korean people, while disguising their true objectives by hypocritical statements; (5) that article 118 and article 7 of the Geneva Convention, respectively: (a) established the principle that repatriation should take place irrespective of the existence of any agreement and regardless of the consent of the prisoners, and (b) protected prisoners against any attempt to compel them to waive their right to repatriation; (6) that this interpretation had been accepted during the discussions leading to the adoption of the Convention; (7) that it was inconceivable that the fulfilment of commitments assumed by States in an international agreement should be conditional on the wishes of individuals to be repatriated; and (8) a serviceman taken prisoner underwent no change in legal status and therefore could not invoke the right of political asylum.

The facts, the representative of the USSR said, thus proved that: (1) the 1949 Geneva Convention and the previous 1929 Convention required the unconditional repatriation of all prisoners of war; (2) such requirement was so binding that, in the absence of similar provisions in special agreements entered into by the parties concerned, repatriation should be carried out under article 118 of the 1949 Convention; (3) the Convention contained no exceptions or reservations affecting the principle of the exchange and repatriation of prisoners of war under which prisoners should be released and repatriated immediately after the cessation of hostilities; (4) there were no provisions in the Convention or any similar conventions which would allow the detaining Power to delay the repatriation of any prisoner of war on the ground that he was unwilling to return to his country or that to do so might be dangerous; (5) the attitude of the United States Command

¹⁰ The consideration of these proposals, entitled "Measures to avert the threat of a new world war and to strengthen peace and friendship among the nations", was deferred to the second part of the seventh session.

in Korea and of the Governments supporting it was in flagrant contradiction of the 1949 Geneva Convention and the generally accepted principles of international law governing the repatriation of prisoners of war; (6) reference to the refusal of some prisoners of war to be repatriated had no legal value; such refusal was a natural result of the measures taken by the United States Command against the Korean and Chinese prisoners of war.

The problem of exchange of prisoners of war could be explained, said the USSR representative, by the general trend of United States foreign policy. One needed only to recall the law of 10 October 1952 which, he said, provided for financing of terroristic activities against the democratic countries. Such activities required a nucleus of men who could be equally recruited among the prisoners of war as among the terrorists who had fled from the wrath of the people to the capitalist countries as "displaced persons". This was the line of the policy which determined the stand of the United States Command in the matter. The fact that an attempt was being made to conceal this policy behind all sorts of considerations did not alter the facts. There could be no doubts that any State signatory to the Geneva Convention wishing earnestly to fulfil its obligations under the Convention would not have to resort to arbitrary screening or other excesses against the prisoners of war in its hands.

The USSR representative, therefore, opposed the 21-Power draft resolution; it was, he said, in reality an effort to substitute the question of forced repatriation for that of compulsory screening.

He also expressed opposition to the Mexican and Peruvian draft resolutions. The Mexican draft, he said, departed from the 1949 Geneva Convention by making repatriation dependent on the prisoners' decision, opened the door to every kind of abuse and permitted the coercion of prisoners of war. The Peruvian draft resolution also contained certain unacceptable provisions, which hardly differed from the proposals of the United States Command. It upheld the principle of the screening of prisoners of war and was therefore also incompatible with the principles of international law. The first operative paragraph of this draft provided for the creation of a five-member commission, but it did not provide for the participation of States directly concerned and other States, including those which had not taken part in the war in Korea. His delegation could not support such a proposal any more than it could

agree with the definition of the duties of the commission.

Statements along similar lines, calling for the adoption of the USSR draft resolution and the rejection of the 21-Power draft resolution as well as the draft resolutions of Mexico and Peru, were made by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR. The latter two draft resolutions, they stressed, were unacceptable because they retained the concept of voluntary repatriation of the prisoners.

The representative of Poland stated that the resistance of the prisoners in the camps was the best evidence of the falsity of the claims about their refusal to be repatriated. If those claims were true, he said, there would hardly have been need for United States troops to use machine-guns, tanks and flame-throwers to subdue the prisoners. In such circumstances there could be no question of an expression of free will. Moreover, it was against forceful methods of this kind that article 7 of the Geneva Convention was supposed to protect the prisoners. He also stated that the Korean war had been undertaken from the beginning in the interests of United States imperialist policy and its economy and military strategy. The so-called United Nations Command in Korea was a mere fiction; all those troops were subject to American military command without any control on the part of the United Nations, as had become even more clear in connexion with the bombing of Chinese and Korean towns and the utilization of the most brutal types of weapons forbidden by international law.

The representative of Czechoslovakia said that it was hard to speak of a principle of voluntary repatriation based on the exercise of free will in the light of violations of the Geneva Convention by the United States Government in its administration of the prisoner-of-war camps and its coercive screening process, forcing prisoners with massacres and bloodshed to sign anti-Communist declarations. What the United States chose to call voluntary repatriation was merely forced detention. The North Korean and Chinese representatives had never expressed themselves in favour of forcible repatriation; they had spoken against forced detention. The Geneva Convention of 1949, the representative of Czechoslovakia stressed, provided for the principle of unconditional repatriation; the Polish proposal, consideration of which the Committee had postponed, represented a full programme of concrete measures for the solution of the Korean question.

(C) VIEWS EXPRESSED IN SUPPORT OF THE
MEXICAN AND PERUVIAN DRAFT
RESOLUTIONS

Statements were made by the representatives of Mexico and Peru in explanation of their draft resolutions (A/C.1/730 and A/C.1/732, respectively).

The representative of Peru, referring to the statement of the Soviet representative that the guiding principle of international law concerning prisoners of war was based on the presumption that the prisoners wished to be repatriated, stated that it would follow that in cases where there was evidence that the prisoner was opposed to repatriation, he would not be forced into accepting repatriation. He stressed that, by eliminating force, the Peruvian draft started from the exception to the principle of repatriation and indicated certain impartial and neutral means which could be found in the Geneva Convention and which were binding upon those who had accepted the Convention. It was in this respect that the Peruvian draft resolution differed from the Mexican draft. He was of the opinion that the problem was not a political problem but a juridical one which had to be resolved in accordance with the Geneva Convention.

The representative of Mexico, explaining his draft resolution, considered on the other hand, that it was important to avoid raising the question of deciding the rule of law to be applied. Neither the Geneva Convention nor the practice of States was decisive and uniform in one way or the other. It would, too, be hard to examine the Geneva Convention in the light of the historical factors which had prevailed at the time of its drafting. Finally, the General Assembly was not the proper organ to undertake a legal study of the matter at that stage, since such a study could not fail to be influenced by the political contingencies of the Korean question. A legal discussion would probably be indefinitely protracted and would not serve the urgent purpose of putting an end to the hostilities in Korea. The question at issue was, therefore, he said, political—far more than legal. A formula should be presented which would not stipulate a condition known beforehand to be unacceptable. If the North Korean authorities then refused such a formula likely to lead to an honourable solution, despite the United Nations' endeavours towards a compromise, the United Nations would certainly not bear the weight of the responsibility for the breakdown of the negotiations. The United Nations would be conscious of having discharged its entire duty to restore peace and consolidate the unity of its Members. The Mexican proposal, he stated, there-

fore left aside the purely legal aspect in order to make possible a specific settlement taking into account the political factors influencing the Korean situation.

The representatives of Bolivia, Brazil, Canada, Costa Rica, El Salvador, Israel, Lebanon, Nicaragua, Panama, the Philippines and the United Kingdom expressed either unqualified support for the draft resolutions or for principles which they contained, or felt that the proposals constituted valuable suggestions which the Committee might consider further.

The representative of Brazil expressed the view that those two proposals offered complementary measures. The machinery suggested by Peru for screening could, he said, be a preliminary step towards the measures proposed by Mexico. The Mexican proposals, on the other hand, could constitute a specific course to be studied by the commission provided for in the Peruvian proposal. He suggested that those who had so far put forward proposals concerning the problem of repatriation might informally try to iron out any discrepancy. That course would assist in removing difficulties and might lead to a plan which would fit within the framework of the 21-Power draft resolution.

(4) Indian Draft Resolution and Amendments

At the 524th meeting of the Committee on 17 November, India submitted a draft resolution (A/C.1/734) in terms of which, among other things, the Assembly would:

(1) affirm that the release and repatriation of prisoners of war should be effected in accordance with the Geneva Convention of 1949, the well-established principles of international law and the relevant provisions of the draft armistice agreement; (2) affirm that force should not be used against prisoners of war to prevent or effect their return to their homelands; and (3) request the President of the General Assembly to: (1) transmit to the Central People's Government of the People's Republic of China and to the North Korean authorities a set of seventeen specific proposals, contained in the draft resolution, as forming a just and reasonable basis for an agreement; (2) invite their acceptance of these proposals; and (3) report to the Assembly during its seventh session.

The proposals called, among other things, for the establishment of a repatriation commission consisting of representatives of Czechoslovakia, Poland, Sweden and Switzerland.

Paragraphs 14 and 17 of the proposals¹¹ read:

"14. The Repatriation Commission shall at its first meeting and prior to an armistice proceed to

¹¹ The other proposals were adopted by the Committee and subsequently by the Assembly without revision or amendment. For text of resolution adopted by the Assembly, see pp. 201-202.

agree upon and appoint an umpire. If agreement on the appointment of an umpire cannot be reached by the Commission within a period of three weeks after the date of the first meeting, this matter shall be referred to the General Assembly.

"17. At the end of ninety days, the disposition of any prisoners of war whose return to their homelands has not been effected in accordance with the procedure set out above shall be referred by the Repatriation Commission to the political conference to be called under article 60¹² of the draft armistice agreement."

The representative of India stated that the seventeen paragraphs constituting its second part had been termed "proposals" because they were meant to show the way to a solution rather than be a solution in themselves.

He said that the real meaning of the terms "voluntary repatriation" or "non-forcible repatriation" was that force should not be used against prisoners of war. The Chinese, he said, had repeatedly stated that they were not asking for forcible repatriation. They appeared to argue that the soldiers had become prisoners as a result of force and that, in order to release them, it was necessary to remove the force. The other party stated that force would have to be used in order to repatriate some of the prisoners. The practice of international law, however, specifically laid down, without any equivocation or ambiguity, that force must not be used against the prisoners of war to prevent or effect their return to their homelands. That was the general background of paragraph 3 of his proposals.

One aspect of the repatriation question was the Chinese-North Korean view that the real issue was one of forcible detention, the representative of India stated. The charge of forcible detention would no longer arise, he pointed out, once the prisoners had been released into the temporary jurisdiction of the repatriation commission. As for the other side of the question, namely that of forcible repatriation, he said that no member of a civilized community could be called upon to exercise force against another person who was not fighting him, and against whom there was no legal sanction to use force. In the case of prisoners of war, the legal duty would have been discharged when the prisoners were released and provided with facilities to go home. Paragraph 3, he emphasized, was equally applicable to both parties.

With regard to paragraph 7 of the proposals, he recalled that it had been argued that a prisoner could not express himself while he was under imprisonment. This paragraph therefore envisaged that once the prisoners had been released by the detaining Power and were on their way to their homelands, the two parties should have freedom

and facilities to explain to the prisoners depending on them their rights and the conditions prevailing in their homelands. One party had pointed out that, since the prisoners had been completely shut off from the world during their captivity, they had no knowledge of what was going on on the other side. For this reason, the two parties should have facilities to explain the situation to them. This would mean that it would be possible for the Chinese side, for instance, to explain to the prisoners that there was an amnesty. They would be able to tell the prisoners that they need have no fear of going home and there would be an opportunity to answer the questions of the prisoners.

Referring to the clauses dealing with the appointment of an umpire, the representative of India pointed out that when the two sides had agreed on the basis of repatriation, questions of interpretation would arise. The interpretation of the agreement would rest with the repatriation commission, but since each side would nominate two members of the commission, there might be an even split. His delegation felt, therefore, that the best way out of an impasse would be for the two parties to agree on the appointment of an umpire. Until that umpire was appointed, the repatriation commission would not come into being and the armistice would not become operative. If there were no agreement, however, the matter would be referred to the General Assembly. That did not mean that the Assembly would appoint the umpire, but only that it would consider what could be done at that stage. In order to avoid a prolongation of the disagreement on the appointment of an umpire, it was proposed that a period of three weeks be fixed for the appointment by the commission. The suggestion of this time-limit was not to be construed as constituting an ultimatum, but only an indication that the appointment of an umpire, which alone would enable the commission to proceed with its task, should not be delayed.

As to paragraph 17 of the proposals, it was linked with the sixth paragraph of the preamble; the draft armistice agreement provided for the political conference to meet at the end of 90 days, and that was why this time-limit had been set in paragraph 17, he said.

In conclusion, the representative of India requested the Committee to give priority to the Indian draft resolution so that no procedural difficulties on the side of the United Nations might affect the minds of those on the other side.

¹² See p. 174.

Following suggestions by the representatives who endorsed (see below) the main lines of his draft resolution, the representative of India, on 23 November, submitted a revision (A/C.I./734/Rev.1) amending paragraphs 14 and 17 of the proposals to read as follows:

"14. The Repatriation Commission shall at its first meeting and prior to an armistice proceed to agree upon and appoint the umpire who shall at all times be available to the Commission and shall act as its Chairman unless otherwise agreed. If agreement on the appointment of the umpire cannot be reached by the Commission within the period of three weeks after the date of the first meeting, this matter should be referred to the General Assembly.

"17. At the end of ninety days, after the Armistice Agreement has been signed, the disposition of any prisoners of war whose return to their homelands may not have been effected in accordance with the procedure set out in these proposals or as otherwise agreed, shall be referred with recommendations for their disposition, including a target date for the termination of their detention, to the political conference to be called as provided under article 60 of the draft armistice agreement. If, at the end of a further sixty days, there are any prisoners of war whose return to their homelands has not been effected or provided for by the political conference the responsibility for their care and maintenance until the end of their detention shall be transferred to the United Nations."

On 26 November, the representative of India submitted a second revision (A/C.I./734/Rev. 2), amending the final sentence of paragraph 17 to read:

"If at the end of a further sixty days there are any prisoners of war whose return to their homelands has not been effected under the above procedures or whose future has not been provided for by the political conference, the responsibility for their care and maintenance and for their subsequent disposition shall be transferred to the United Nations, which in all matters relating to them shall act strictly in accordance with international law."

The representative of India, at the 535th meeting of the First Committee on 1 December, made a further statement, elaborating his earlier statement and replying to some of the points raised during the discussion (see below). The representative of India stated, among other things, that: (1) the Government of India, in presenting what it thought might be a possible solution of the Korean problem, had acted largely on the basis of its judgment and the information it possessed—not laying down any terms but merely making proposals which would pave the way to negotiation; (2) settlement of the prisoner-of-war issue must be in terms of the Geneva Convention of 1949, which placed no obligation for forcible repatriation on the detaining Power and, in terms of the Indian draft, prisoners of war would be in the custody of neutral Powers, who would be bound by international law, thereby allowing no

opportunity for the former detaining Power on either side to exercise any coercive pressure on them; (3) the Indian draft resolution was, in fact, a cease-fire resolution, as the only outstanding obstacle to an armistice agreement in Korea was the non-settlement of the prisoner-of-war issue and, if this issue were settled, there would be a cease fire within twelve hours; (4) regarding the question of the appointment of an umpire, his delegation considered that the umpire should only be called in to arbitrate if and when the members of the commission were divided on an issue; and (5) regarding the last part of paragraph 17 of the proposals, the question of the disposition of any prisoners of war who might not have been repatriated according to the procedures set forth in the rest of the draft resolution should go to the political conference—the United Nations acting, in all matters relating to any such prisoners, strictly in accordance with international law. In this respect he drew a distinction between the United Nations as one of the belligerent parties, referred to in the draft resolution as the detaining Powers, and the United Nations as a whole, including all 60 Members, in connexion with the provisions of paragraph 17.

Statements welcoming the Indian draft resolution, while suggesting the need for certain clarifications or revisions, particularly with regard to paragraphs 14 and 17 of the proposals, were made by the representatives of Afghanistan, Australia, Bolivia, Burma, Canada, Chile, Costa Rica, France, Indonesia, Iraq, Israel, Mexico, New Zealand, the Netherlands, Norway, Paraguay, Peru, the Philippines, Sweden, Syria, the Union of South Africa, the United Kingdom and the United States.

The representative of the United States stressed that for two years the United Nations had been bravely and successfully performing its greatest duty, that of resisting aggression in order that there would be a world of law and order supported by collective security. The people of the United States had taken a proud part in the United Nations effort because they believed in the United Nations and realized that if this great effort failed, the world would be back to the futile efforts of twenty years ago to build a barrier of words against aggression.

The representative of Sweden believed that the umpire of the Commission, mentioned in paragraph 14, should be a fifth member of the Commission and its chairman.

The representative of Norway felt that the underlying purpose of paragraph 17 could be expressed more comprehensively and that the best way to give the prisoners a feeling that they

had a real choice would be to have an agency of the United Nations not only to take care of them but also to entrust that agency with powers to release them in case the political conference should fail to agree on a solution after the 60-day period envisaged.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, on the other hand, stated that the Indian draft could not provide a satisfactory solution. It was unacceptable, they stated, because: (1) the draft attempted to use the provisions of the Geneva Convention to support or cloak a possible refusal to repatriate the prisoners; it was in conflict with the articles of the Convention and reduced the matter to an exchange of those prisoners of war who voluntarily expressed a desire to be repatriated; (2) the functions of the commission proposed by India would be limited to repatriation of prisoners in contrast to the commission proposed in the USSR draft which would consider measures for settling the Korean question as a whole; (3) the draft gave a decisive voice to an umpire who would act as the commission's chairman thus, in the last analysis, making the United Nations—in spite of the fact that it was a belligerent party—a judge in its own case; (4) the conditions for an armistice were vague and the draft resolution, therefore, would not be conducive to a just and rapid solution of the Korean question; and (5) the draft made no mention of the question of the cessation of hostilities, the most urgent problem before the United Nations and the gateway to a peaceful settlement.

The representative of the USSR also stated that the Indian draft resolution failed to take into account the views of the North Korean and Chinese Governments. The views of the latter Government on the draft resolution, he said, were known to the Indian Government, since the draft resolution had been submitted to the Central People's Government of the People's Republic of China for preliminary consideration and since, as early as 24 November, according to information at the disposal of the USSR delegation, that Government had given a negative answer to the Indian Government as regards the draft resolution. Proposals which were unacceptable to the Chinese People's Republic and the Korean People's Democratic Republic, he said, could not be expected to be at all effective. In reply to this point, the representative of India stated that while his Government could not speak for China it could speak to China and, on its own responsibility, had kept the People's Republic of China informed of its efforts to find a solution of the Korean problem. It real-

ized that no settlement could be reached without the agreement of the People's Republic of China and therefore it was merely making proposals to pave the way to negotiation. In view of India's long and friendly relations with China and its position midway between those of the two opposing views, it felt that it was its duty to continue its efforts to dispel misunderstandings.

The representative of the Republic of Korea stated that he considered that the Indian draft resolution was based on erroneous premises, such as the assumption that a truce was a means to achieve United Nations objectives in Korea, and that the aggressors represented a legally acceptable position, which entitled them to all privileges in connexion with the conclusion of hostilities. Furthermore, he said, the draft resolution was unrealistic. For example, could it be supposed that a commission made up of two neutral countries and two Soviet satellites would exercise a purely neutral role, even with the guiding hand of an umpire? Moreover, the representative of the Republic of Korea asked, could it be supposed that, without supervision, the Communist prisoners of war would leave unmolested non-Communist prisoners of whom many had already been killed by the Communist prisoners in the prisoner-of-war camps? He expressed doubts that an unarmed "neutral" commission could exercise better control over the released Communist prisoners of war in a demilitarized zone than had existed in prisoner-of-war camps under the ostensible control of the United Nations Command. The conclusion, he said, was patent: the draft resolution underwrote the forced return of thousands of prisoners, to whom it sought to promise freedom to return to their homelands.

The representative of the Republic of Korea concluded that a just and honourable peace could be achieved only by achieving complete victory, which in turn could only be secured through the employment of total sanctions against the aggressor. One of the measures to secure the peace, when that was won, must be the establishment of a buffer zone in Manchuria, manned by an international security brigade which would be the instrument of the general collective security system of the United Nations against an aggressor.

At the 529th meeting, on 24 November, the representative of Iran moved that the Committee vote first on the Indian draft resolution, as the representative of India had requested, because that proposal had the best chance of being approved by the Assembly and the parties to the dispute. The representative of the USSR opposed the Iranian motion as contrary to the rules of pro-

cedure, asserting that the USSR draft resolution should be put to the vote before the Indian draft. After discussion at the 530th and 531st meetings, on 25 and 26 November, the Committee adopted the Iranian motion by 49 votes to 5, with 1 abstention.

The following amendments to the Indian draft resolution were proposed:

(a) An amendment by Iraq (A/C.1/L.3), which: (1) called for the addition of India as a member of the repatriation commission; (2) called for the deletion of the provisions concerning the appointment of an umpire; and (3) proposed the revision of the last sentence of paragraph 17 to provide that if, at the end of a further 60 days, there were any prisoners of war whose return to their homelands had not been effected or provided for by the political conference, the responsibility for them should be transferred to the United Nations. The representative of Iraq explained that his premise was that, by adding India as a member of the commission, the difficulty of choosing an umpire would be avoided. (This amendment was later withdrawn in view of the revision of the Indian draft resolution and the explanations made by the representative of India.)

(b) An amendment by Greece (A/C.1/L.6) to make explicit the fact that the classification of prisoners under paragraph 5 of the Indian proposals would be made by the repatriation commission. (The representative of Greece withdrew his amendment after the representative of India had stated that it was the understanding of his delegation that the classification would be carried out in accordance with the arrangements made by the repatriation commission.)

(c) An amendment by Denmark (A/C.1/L.5) proposing a 30-day instead of a 60-day time-limit for the political conference to provide for the future of the remainder of the prisoners.

(d) An amendment by the USSR (A/C.1/L.4) which proposed:

(1) to redraft paragraph 8 of the first part of the Indian draft to read: "Affirms 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 the Convention";

(2) to substitute for paragraph 1 of the proposals a proposal to recommend to the belligerents in Korea an immediate and complete cease fire, namely, the cessation of military operations by both sides on land, by sea and in the air, on the basis of the draft armistice agreement already approved by the belligerents and to refer the question of the complete repatriation of prisoners of war for its solution to the commission for the peaceful settlement of the Korean question provided for in paragraph 2 of the proposals, in which commission questions should be decided by two-thirds majority vote;

(3) to substitute for paragraph 2 of the proposals a new paragraph proposing (a) to establish a commission for the peaceful settlement of the Korean question consisting of: the United States, the United Kingdom, France, the USSR, the People's Republic of China, India, Burma, Switzerland, Czechoslovakia, the People's Democratic Republic of Korea and South Korea; and (b) to instruct that commission to take immediate steps for the settlement of the Korean question on the basis of the unification of Korea, which should be effected by the

Koreans themselves under supervision of the commission, such steps to include extending all possible assistance in the repatriation of all prisoners of war by both sides;

(4) to amend the first sentence of paragraph 3 to provide that the treatment of prisoners of war must be such as to exclude, absolutely, any violence to their persons or affront to their dignity or self-respect in any manner or for any purpose whatsoever; and to delete the second sentence of paragraph 3, providing for the repatriation commission;

(5) to amend paragraph 6 to provide that, after classification, all prisoners of war should be returned forthwith to their homelands, and their speedy return should be facilitated by all parties concerned; and

(6) to delete paragraphs 7 to 17 of the proposal.

The representative of the USSR, stating that the Indian draft resolution failed to take into account the views of the North Korean and Chinese Governments, explained his amendments. He said that the first, calling for the redrafting of paragraph 8 of the first part of the Indian draft, had been proposed because the reference in the draft to the absence of force was inappropriate in the light of existing brutality. The second amendment had been proposed because it was impossible to reduce the whole question merely to one of the repatriation of prisoners. Regarding his fifth amendment, he said that it was not a question of a prisoner having the right to go home but of the creation of institutional, political, material, ideological and moral conditions which would enable the prisoner to fulfil his obligation to go back to his fatherland. His delegation could not admit a situation where an infringement of that duty would be encouraged. Subsequently, the USSR representative added that to say that force would not be used against prisoners in connexion with their repatriation was actually a disguise for forcible, coercive retention.

The representative of the USSR considered that the representative of India had not given a satisfactory answer to the question as to whether the Indian draft resolution opened the door to peace. In the light of the statement made by the Foreign Ministers of the Chinese People's Republic and the Korean People's Democratic Republic (A/C.1/735), there was no ground to expect that an armistice could be concluded within any reasonably short period. The USSR proposal was for an immediate cease fire on the basis of the draft armistice agreement already approved by the belligerents, rather than for one which might result from an armistice agreement that might be reached at some indefinite point in the future.

Statements in support of the USSR amendments were made by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, who maintained that the only pos-

sible solution of the problem lay in complete observance of the Geneva Convention, which called for the immediate repatriation of all prisoners.

A majority of the representatives expressed opposition to the USSR amendments. They considered, among other things, that they constituted a procedural device to nullify the Committee's decision to give priority in the voting to the Indian draft resolution.

The representative of New Zealand, for example, considered that they were unacceptable because they confused political problems (such as the unification and rehabilitation of Korea) and military problems. Only military problems should be dealt with in the armistice negotiations; political problems should be settled later. The Soviet amendments, furthermore, implied the use of force. The representative of the USSR had called for the humanitarian treatment of prisoners of war but at the same time claimed that only the State had the right to decide the fate of prisoners who were its nationals, he said.

The representative of the United Kingdom stated that the first USSR amendment was only a fresh attempt to evade the question of forced repatriation. The USSR delegation had been very cautious about public opinion and this observation could be applied to the form in which the fourth amendment was presented. The second and third amendments actually coincided almost word for word with the text of the draft resolution previously submitted by the USSR delegation (A/C.1/729/Rev.1/Corr.1 and Rev.1/Corr.1/Add.1). An attempt was being made to represent the majority of the members of the Committee as hostile to a cease fire, though everyone desired a cease fire. It was, however, impossible for the nations which had forces in Korea, and some of whose soldiers were consequently in captivity, to agree to a cease fire before having obtained a basic agreement relating to them.

The representative of Burma stated that he would abstain in the vote on the USSR amendments because he did not consider them logically related to the Indian draft resolution.

(5) Decisions Taken by the First Committee

At its 535th meeting on 1 December, the Committee voted on the Indian draft resolution (A/C.1/734/Rev.2), paragraph by paragraph, adopting all paragraphs in votes ranging from 54 to 5, with no abstentions, to 53 to none, with 5 abstentions.

The Danish amendment (A/C.1/L.5), proposing a 30-day instead of a 60-day time-limit for the political conference to provide for the future

of the remainder of the prisoners, was adopted by 39 votes to 5, with 14 abstentions.

The Committee rejected the first four Soviet amendments (A/C.1/L.4) by 46 votes to 5, with 8 abstentions, two of them by roll-call vote. The remaining two amendments were rejected by 50 votes to 5, with 1 abstention, and 52 votes to 5, with 2 abstentions, respectively.

The Indian draft resolution, as a whole, as amended, was adopted by a roll-call vote of 53 to 5, with 1 abstention.

At the 536th meeting on 2 December the representative of Lebanon stated that, for reasons beyond its control, his delegation had been unable to take part in the vote on the Indian draft resolution, but would support it in the vote in the plenary session of the General Assembly.

The Committee thereafter rejected the USSR draft resolution (A/C.1/729/Rev.1/Corr.1 and Rev.1/Corr.1/Add.1) by a roll-call vote of 41 to 5, with 12 abstentions.

At the same meeting it was agreed that further consideration of the 21-Power draft resolution as well as the Mexican and Peruvian draft resolutions should be deferred until the President of the General Assembly had submitted his report in accordance with the resolution adopted.

c. CONSIDERATION BY THE GENERAL ASSEMBLY IN PLENARY SESSION

The report (A/2278) of the First Committee containing the draft resolution adopted by it was considered by the Assembly at its 399th plenary meeting on 3 December 1952.

The representative of the USSR submitted four amendments (A/L.117) to the Committee's draft resolution, identical with those submitted by him in the Committee with regard to the Indian draft resolution (see above). He also submitted a draft resolution (A/L.118) identical with that submitted by his delegation in the First Committee.

The representative of India submitted an amendment (A/L.120) to the Committee's draft resolution, which would add the words: "so that an immediate cease fire would result and be effected", thus stressing that the purpose of the draft resolution was to bring about the termination of hostilities, he explained.

In explanation of his vote, the representative of the USSR stated that the Indian amendment did not in any way change the Committee's draft resolution, since it made a cease fire conditional on an agreement being reached between the parties, instead of proposing an immediate and complete cease fire.

The representative of France considered that the USSR, by a change of tactics, had relegated to second place the question of prisoners of war, while having at first considered it fundamental. By the introduction of draft resolutions and amendments, it now asked the First Committee for a decision in favour of an immediate cessation of hostilities, the fate of the prisoners to be decided by a political commission and no limit being set on the duration of their detention. Such a proposal, he said, was unacceptable.

The USSR amendments (A/L.117) were rejected as follows: the first amendment by 43 votes to 5, with 7 abstentions; the second, third and fourth amendments by roll-call votes of 46 to 5, with 9 abstentions. The votes on the second and third amendments were as follows:

In favour: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Against: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

Abstaining: Afghanistan, Burma, Egypt, India, Indonesia, Iran, Saudi Arabia, Syria, Yemen.

The vote on the fourth amendment was the same as in the case of the two previous amendments, except that India voted against it, while Pakistan abstained.

The fifth and sixth amendments were rejected by 50 votes to 5, with 4 abstentions, and by 52 votes to 5, with 1 abstention, respectively.

The Indian amendment (A/L.120) was adopted by 53 votes to none, with 5 abstentions.

The Committee's draft resolution, as amended by India, was adopted (resolution 610(VII)) in a roll-call vote of 54 to 5, with 1 abstention. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, 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: China.

Explaining his vote, the representative of China stated that, while he considered the draft resolution sound in principle, he was convinced that the machinery which it envisaged was defective and inadequate, inasmuch as two of the members of the Repatriation Commission, namely Czechoslovakia and Poland, could not be expected to carry out fairly and impartially the provisions of the resolution which they had denounced in the Committee. In the camps under the Unified Command some of the prisoners had resorted to terror against their fellow prisoners, he said, and there was no guarantee that the same terroristic bands would not do likewise in the demilitarized zone, as the resolution did not confer instruments upon the Repatriation Commission to prevent such incidents.

Resolution 610 (VII) read:

"The General Assembly,

"Having received the special report of the United Nations Command of 18 October 1952 on "the present status of the military action and the armistice negotiations in Korea" and other relevant reports relating to Korea,

"Noting with approval the considerable progress towards an armistice made by negotiation at Panmunjom and the tentative agreements to end the fighting in Korea and to reach a settlement of the Korean question,

"Noting further that disagreement between the parties on one remaining issue, alone, prevents the conclusion of an armistice and that a considerable measure of agreement already exists on the principles on which this remaining issue can be resolved,

"Mindful of the continuing and vast loss of life, devastation and suffering resulting from and accompanying the continuance of the fighting,

"Deeply conscious of the need to bring hostilities to a speedy end and of the need for a peaceful settlement of the Korean question,

"Anxious to expedite and facilitate the convening of the political conference as provided in article 60 of the draft armistice agreement,

"1. Affirms that the release and repatriation of prisoners of war shall be effected in accordance with the Geneva Convention relative to the Treatment of Prisoners of War, dated 12 August 1949, the well-established principles and practice of international law and the relevant provisions of the draft armistice agreement;

"2. Affirms that force shall not be used against prisoners of war to prevent or effect their return to their homelands, and that they shall at all time be treated humanely in accordance with the specific provisions of the Geneva Convention and with the general spirit of the Convention;

"3. Accordingly requests the President of the General Assembly to communicate the following proposals to the Central People's Government of the People's Republic of China and to the North Korean authorities as forming a just and reasonable basis for an agreement so that an immediate cease-fire would result and be effected; to invite their acceptance of these proposals and to make a report to the General Assembly during its present session and as soon as appropriate:

PROPOSALS

"I. In order to facilitate the return to their homelands of all prisoners of war, there shall be established a Repatriation Commission consisting of representatives of Czechoslovakia, Poland, Sweden and Switzerland, that is, the four States agreed to for the constitution of the Neutral Nations Supervisory Commission and referred to in paragraph 37 of the draft armistice agreement, or constituted, alternatively, of representatives of four States not participating in hostilities, two nominated by each side, but excluding representatives of States that are permanent members of the Security Council.

"II. The release and repatriation of prisoners of war shall be effected in accordance with the Geneva Convention relative to the Treatment of Prisoners of War, dated 12 August 1949, the well-established principles and practice of International Law and the relevant provisions of the draft armistice agreement.

"III. Force shall not be used against the prisoners of war to prevent or effect their return to their homelands and no violence to their persons or affront to their dignity or self-respect shall be permitted in any manner or for any purpose whatsoever. This duty is enjoined on and entrusted to the Repatriation Commission and each of its members. 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.

"IV. All prisoners of war shall be released to the Repatriation Commission from military control and from the custody of the detaining side in agreed numbers and at agreed exchange points in agreed demilitarized zones.

"V. Classification of prisoners of war according to nationality and domicile as proposed in the letter of 16 October 1952 from General Kim Il Sung, Supreme Commander of the Korean People's Army, and General Peng Teh-huai, Commander of the Chinese People's Volunteers, to General Mark W. Clark, Commander-in-Chief, United Nations Command, shall then be carried out immediately.

"VI. After classification, prisoners of war shall be free to return to their homelands forthwith, and their speedy return shall be facilitated by all parties concerned.

"VII. In accordance with arrangements prescribed for the purpose by the Repatriation Commission, each party to the conflict shall have freedom and facilities to explain to the prisoners of war "depending upon them" their rights and to inform the prisoners of war on any matter relating to their return to their homelands and particularly their full freedom to return.

"VIII. Red Cross teams of both sides shall assist the Repatriation Commission in its work and shall have access, in accordance with the terms of the draft armistice agreement, to prisoners of war while they are under the temporary jurisdiction of the Repatriation Commission.

"IX. Prisoners of war shall have freedom and facilities to make representations and communications to the Repatriation Commission and to bodies and agencies working under the Repatriation Commission, and to inform any or all such bodies of their desires on any matter concerning themselves, in accordance with arrangements made for the purpose by the Commission.

"X. Notwithstanding the provisions of paragraph III above, nothing in this Repatriation Agreement shall be

construed as derogating from the authority of the Repatriation Commission (or its authorized representatives) to exercise its legitimate functions and responsibilities for the control of the prisoners under its temporary jurisdiction.

"XI. The terms of this Repatriation Agreement and the arrangements arising therefrom shall be made known to all prisoners of war.

"XII. The Repatriation Commission is entitled to call upon parties to the conflict, its own member governments, or the Member States of the United Nations for such legitimate assistance as it may require in the carrying out of its duties and tasks and in accordance with the decisions of the Commission in this respect.

"XIII. When the two sides have made an agreement for repatriation based on these proposals, the interpretation of that agreement shall rest with the Repatriation Commission. In the event of disagreement in the Commission, majority decisions shall prevail. When no majority decision is possible, an umpire agreed upon in accordance with the succeeding paragraph and with article 132 of the Geneva Convention of 1949 shall have the deciding vote.

"XIV. The Repatriation Commission shall at its first meeting and prior to an armistice proceed to agree upon and appoint the umpire who shall at all times be available to the Commission and shall act as its Chairman unless otherwise agreed. If agreement on the appointment of the umpire cannot be reached by the Commission within the period of three weeks after the date of the first meeting this matter should be referred to the General Assembly.

"XV. The Repatriation Commission shall also arrange after the armistice for officials to function as umpires with inspecting teams or other bodies to which functions are delegated or assigned by the Commission or under the provisions of the draft armistice agreement, so that the completion of the return of prisoners of war to their homelands shall be expedited.

"XVI. When the Repatriation Agreement is acceded to by the parties concerned and when an umpire has been appointed under paragraph 14 above, the draft armistice agreement, unless otherwise altered by agreement between the parties, shall be deemed to have been accepted by them. The provisions of the draft armistice agreement shall apply except in so far as they are modified by the Repatriation Agreement. Arrangements for repatriation under this agreement will begin when the armistice agreement is thus concluded.

"XVII. At the end of ninety days, after the Armistice Agreement has been signed, the disposition of any prisoners of war whose return to their homelands may not have been effected in accordance with the procedure set out in these proposals or as otherwise agreed, shall be referred with recommendations for their disposition, including a target date for the termination of their detention to the political conference to be called as provided under article 60 of the draft armistice agreement. If at the end of a further thirty days there are any prisoners of war whose return to their homelands has not been effected under the above procedures or whose future has not been provided for by the political conference, the responsibility for their care and maintenance and for their subsequent disposition shall be transferred to the United Nations, which in all matters relating to them shall act strictly in accordance with international law."

d. REPORT OF THE PRESIDENT OF THE
GENERAL ASSEMBLY

In a report (A/2354) dated 20 December 1952, the President of the General Assembly communicated the text of telegrams he had received from the Ministers for Foreign Affairs of the Central People's Government of the People's Republic of China and the People's Democratic Republic of Korea, dated 14 and 17 December, respectively, in reply to his communications, dated 5 December, transmitting the General Assembly's resolution together with a message inviting acceptance of its proposals.

Both replies recalled that the resolution had been adopted without the participation of representatives of the People's Democratic Republic of Korea, and stressed that the presence of both interested parties was essential to a just solution of the Korean question.

In the telegram from the Minister for Foreign Affairs of the Central People's Government of the People's Republic of China, it was stated, among other things, that the Assembly's action in adopting this resolution was clearly illegal and void and was firmly opposed by the Chinese people, because it was entirely based on the so-called principles of "voluntary repatriation" or "non-forcible repatriation", all of which were in essence the "principle" of forcibly retaining in captivity prisoners of war, which was universally recognized as violating the Geneva Convention and international law. The resolution could not settle the sole remaining issue, namely, the principles and procedures by which the repatriation of the prisoners could be effected. The fact on this issue was, the telegram continued, that both parties to the negotiations had established concrete and detailed measures and procedures in article 3 of the draft armistice agreement. The Central People's Government of the People's Republic of China had always upheld the basic principle of the total repatriation of prisoners of war after an armistice was effected, as established in the Geneva Convention, and would continue to do so.

The resolution, it was stated, was based also on the hypothesis that there were, among the Korean and Chinese captured, some personnel who refused to return home. The facts were that large numbers of special agents of the United States, Syngman Rhee and Chiang Kai-shek were placed in responsible posts in prisoner-of-war camps and had posed as Korean and Chinese prisoners of war. They had coerced prisoners to make declarations refusing repatriation. Prisoners who had refused to submit had been viciously beaten up

by these agents and, while unconscious, had been tattooed with humiliating marks of treason against their motherland. The fingers of prisoners had been dipped in blood from their wounds and their fingerprints had been forcibly affixed to "screening" petitions allegedly expressing "unwillingness to return home".

The proposal to give the United Nations the final authority of appointing the umpire and the final authority of disposing of those prisoners of war allegedly "unwilling to go home" was absurd, it was stated. The proposals of the General Assembly actually embodied in full the three proposals put forward at Panmunjom on 28 September 1952 by the United States. In fact, the Assembly proposals were more deceptive and were designed to facilitate the realization of the United States Government's scheme forcibly to retain in captivity prisoners of war. The proposed repatriation commission, the telegram said, could not be effective because it would be absolutely impossible to separate or isolate the Syngman Rhee or Chiang Kai-shek special agents from the Korean and Chinese prisoners. Only by directly delivering prisoners of war to their own side for protection could this be accomplished. The People's Republic of China considered that such an illegal resolution could not possibly provide "a just and reasonable basis for an agreement".

In conclusion, the telegram stated that the Central People's Government of the People's Republic of China requested that the Assembly rescind this illegal resolution, call upon the Government of the United States to resume immediately the negotiations at Panmunjom, and, with the draft Korean armistice agreement as a basis, to bring about the realization of a complete armistice as a first step and then to refer for settlement the question of the total repatriation of prisoners of war to the "Commission for the peaceful settlement of the Korean question", proposed by the USSR. If the Assembly agreed to discuss this request, representatives of the People's Republic of China and the Korean Democratic People's Republic must take part in the discussions. Should the General Assembly reject the request, it would further demonstrate that its purpose, far from being the achievement of peace in Korea and the Far East, was to continue and expand the Korean war in support of the policies of the United States, the communication stated.

The telegram from the Minister for Foreign Affairs of the People's Democratic Republic of Korea, which also rejected the resolution on the basis of arguments similar to those adduced by the Minister for Foreign Affairs of the Central Peo-

pie's Government of the People's Republic of China, concluded by requesting the Assembly to: (1) revoke resolution 610(VII); (2) condemn the fighting in Korea and take the necessary steps to bring about an immediate cease fire and achieve a peaceful settlement of the Korean question on the basis of the USSR proposals; (3) give representatives of the People's Democratic Republic of Korea an opportunity to participate in the discussion on the Korean question in the United Nations, as the true representatives of the Korean people; (4) call to account the representatives of the American side as responsible for the breakdown of the Panmunjom negotiations; (5) put an end to the barbarous bombing of the peaceful populations, towns and villages of North Korea by the American aggressors under the flag of the United Nations; (6) cease immediately the barbarous procedure of forcibly detaining the prisoners of war and the inhuman treatment and mass murder of and brutality towards the inmates of prisoner-of-war camps;¹³ (7) punish severely the American war criminals who, it was said, hypocritically trampling upon the standards of international law and the principles of human morality, were using bacterial,¹⁴ chemical and other weapons for the mass slaughter of the peaceful inhabitants of North Korea.

The report of the President was not considered by the General Assembly during 1952.

5. Complaint of Mass Murder of Korean and Chinese Prisoners of War by United States Military Authorities on the Island of Pongam

In a letter dated 20 December 1952 (A/2355) the USSR requested the inclusion in the Assembly's agenda of an item entitled: "The mass murder of Korean and Chinese prisoners of war by the United States military authorities on the island of Pongam", and requested that it be considered before the suspension of the work of the session.

In an accompanying memorandum it was stated that, according to available information and to reports from the Associated Press and Reuters news agencies, the American guards of the prisoner-of-war camp on the island of Pongam had, on 14 December 1952, killed 82 and wounded 120 Korean and Chinese prisoners of war who were demanding repatriation.

A draft resolution was also enclosed. It would have the Assembly:

(1) note new evidence of inhuman brutalities perpetrated by the United States military authorities; (2) state that it considered that such mass murders of

Korean and Chinese prisoners of war in United States camps were characteristic of the systematic extermination of prisoners of war, as shown by the numerous atrocities committed by the United States military authorities against prisoners of war in the camps on the islands of Koje, Cheju and Pongam, in Pusan and in other places; (3) condemn these criminal acts; (4) insist that the Government of the United States should take immediate steps to end these brutalities against Korean and Chinese prisoners of war; and (5) call to strict account those guilty of committing these crimes.

In cablegrams dated 21 December the Ministers for Foreign Affairs of the Central People's Government of the People's Republic of China and of the People's Democratic Republic of Korea (A/2358 and Corr.1 and A/2359) levelled the same charges and requested that the Assembly take action similar to that proposed by the USSR.

The item was included in the agenda under the title: "Complaint of the mass murder of Korean and Chinese prisoners of war by United States military authorities on the island of Pongam", and, on the recommendation of the General Committee (A/2356), was considered by the Assembly at its 411th plenary meeting on 21 December.

The representative of the USSR stated that the brutalities committed on the island of Pongam by the American soldiery, and the savage treatment of prisoners of war on Koje Island, Cheju Island and at Pusan, to which the USSR delegation had drawn the attention of the Assembly during the discussion of the Korean question, had taken on the character of a policy of systematic extermination of Korean and Chinese prisoners of war in American camps by the United States military command in Korea. The new act of repression against Korean and Chinese prisoners of war, he said, had been perpetrated because the prisoners asked to be repatriated and because they did not wish to be subjected to the violence and terror inflicted on them in order to force them to betray their countries and place themselves at the mercy of the American executioners; it showed that the ruling circles of the United States continued shamelessly to ignore the most elementary principles of international usage and law in their treatment of both the civilian population and prisoners of war.

¹³ During Part I of its seventh session, the Assembly also considered an item entitled: "Complaint of the Mass Murder of Korean and Chinese Prisoners of War by the United States Military Authorities on the Island of Pongam", submitted by the representative of the USSR (see below).

¹⁴ Consideration of an item, submitted by the representative of the United States under the title "Question of impartial investigation of charges of use by United Nations Forces of bacterial warfare", was postponed to the second part of the session.

The United States military authorities in Korea had committed crimes against Korean and Chinese prisoners of war before, he stated. The assertions by representatives of the United States that their Government's policy towards prisoners of war was based on principles of humanity and freedom of the human person, had, he said, been refuted by the relevant facts adduced by the representatives of the USSR during the discussion of the Korean question. On the other hand, these facts had been confirmed by the reports of American and British news agencies, by the admissions of former commanders of prisoner-of-war camps, by the statements of Korean and Chinese prisoners who had escaped from these camps and also by the report, dated April 1952, of the International Committee of the Red Cross. They had also been confirmed in the reports of a Canadian war correspondent who had visited those camps.

The representative of the USSR added that an Associated Press dispatch from Geneva, dated 16 December 1952, had stated that the International Red Cross Committee had that day made public a communication in which it said that the action of the United Nations Command in Korea showed that that Command was violating the Geneva Convention on prisoners of war. The dispatch also stated that the Committee, describing those incidents, had declared that it appeared, in the circumstances, that the firing constituted a violation of article 42 of the Geneva Convention of 1949.¹⁵ Nevertheless, a further use of force against Korean and Chinese prisoners of war had subsequently occurred on Koje Island. General Colson, the commander of the camp on that island, had admitted that even earlier cases of bloodshed had occurred in the camp. He had stated that he would do everything in his power to end force and bloodshed. He had also assured the prisoners of war that they could count on humane treatment in the camp in the future, in accordance with the principles of international law. This forced admission proved that in the prisoner-of-war camps the United States Command was resorting to the practice of compulsory screening, accompanied by violence and murder. These crimes, the USSR representative stated, were the consequence of the Korean policy followed by the ruling circles of the United States, aimed at continuing the war of aggression against the Korean people and extending that aggression to China.

The facts, he said, showed that the trans-Atlantic preachers of humanitarian treatment of prisoners of war were grossly deceiving world public opinion. According to a dispatch of the Korean Central Press agency, published in May 1951, some 1,400

prisoners of war had been secretly sent to the United States to be subjected to experiments with atomic weapons. On 19 July 1951, a total of 100 prisoners of war had been shot by machine-gun fire in the prisoner-of-war camp No. 62, in order to give the machine-gunners training in shooting at moving targets. On 18 February 1952, another 300 prisoners had been killed in the same camp in the same way. On 13 March and 17 and 20 April, a total of 175 prisoners of war had been brutally murdered. Documents confirmed that on 10 May 1952, in camp No. 76, four prisoners who had stated their desire to return to their country had been hanged. On 1 May, the hangmen had gouged out the eyes of eighteen prisoners. On 18 May, thirteen fighters of the Korean People's Army in the camp had been quartered. When the other prisoners in the camp had started to protest, the guard officer had picked from among them 50 men who on the same day were subjected to experiments in the use of new hand-grenades; four prisoners had been killed on the spot, and the remaining 46 had been wounded and had died of injuries shortly after. Horrible brutalities had been committed by the aggressors in camp No. 77 on 27 May 1952. The documents stated that flame-throwers of a new type had been tried out on a large group of prisoners of war who had demanded to be repatriated. Almost 800 prisoners had been burned alive on that day. On 20 and 30 May, a total of 37 prisoners had been killed and sixteen wounded in the same camp. These were facts cited by the Korean Central Press agency and so far had not been refuted.

All statements by representatives of the United States and their supporters to the effect that the repatriation of all prisoners of war was impossible and that the Korean and Chinese prisoners of war did not wish to be repatriated were, said the USSR representative, designed merely to conceal the policy of violence and terror against Korean and Chinese patriots who expressed the legitimate desire to return to their country and an equally legitimate indignation at the atrocities committed by the Americans in Korea.

There could be no doubt, the representative of the USSR continued, that the so-called Indian draft resolution (A/C.1/734/Rev.2)¹⁶ which had been rubber-stamped by the General Assembly

¹⁵ This article states: "The use of weapons against prisoners of war, especially against those who are escaping or attempting to escape, shall constitute an extreme measure which shall always be preceded by warnings appropriate to the circumstances".

¹⁶ Adopted by the Assembly on 3 December (resolution 610(VII)). See above.

under pressure from the United States, suited the needs of certain United States circles which did not wish to put an end to the bloodshed in Korea. It must be clear to everyone, from the reply which had been received from the Central People's Government of the People's Republic of China and from the Government of the People's Democratic Republic of Korea, that that resolution could not provide a basis for the settlement of this question, as its sole purpose was to deceive world public opinion. It was certainly no mere coincidence, he said, that the adoption of this resolution had been immediately followed by the mass murders of Korean and Chinese prisoners of war on the island of Pongam.

Statements along similar lines were made by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR.

The representative of the United States considered that three factors should be kept in mind with regard to the agenda item: (1) the time chosen by the delegation of the USSR to raise the question; (2) its motives in doing so; and (3) the substance of the charges made, not for the first time, but repeatedly, from the day when the Korean question had come up for discussion at the current session.

The Soviet representative had reviled the dignity of the Assembly by saying that the Indian draft resolution had been rubber-stamped by the Assembly under United States pressure. The USSR Government and its satellites had voted against peace, and that was the fact which they were now seeking to conceal by a propaganda stunt, he said. Nevertheless, the Assembly should discuss this item, because the USSR accusations should be brought out of the dark corners of their origin and exposed to the white light of truth.

The background of the events on Pongam Island, the representative of the United States continued, was that the Koreans interned there, numbering over 9,000, were Communist guerrillas captured in South Korea and other Communists, rounded up for revolutionary activity behind the lines. They had not been captured from enemy armies and there were no Chinese among them.

The facts of the case, he said, were as follows: On 6 December 1952, the prisoner-of-war command had reported indications that plans for a mass break-out were being formulated within the prisoner-of-war and internee camps of the Unified Command. This was just three days after the adoption by the Assembly of its resolution calling for peace in Korea. As the representative of the

USSR had said, there was a connexion between these events. Coded documents had been intercepted, indicating that the plan was centrally directed. All camp commanders had been instructed to take every precaution to negate any attempt by the internees to put such plans into effect. The plot had matured in the violence on Pongam, which had occurred on the same day that the Chinese Communist authorities had rejected the United Nations resolution. The Chinese Communist authorities had known and selected the day on which they chose to send their rejection.

Here again, the connexion between the dispatch of their note and the events on the island of Pongam was surely not an accident or a coincidence, the representative of the United States said. At noon on 14 December, reports had come to the commander of the camp that internees in two of the compounds were massing. The commander, with a small detachment of United States and Republic of Korea guards, had had to act at once to prevent many hundreds of internees from breaking out and inviting pitched battles. He had dispatched platoons to the two compounds in which the internees had begun to mass. The guards of the United Nations Command had deployed as skirmishers 25 yards from the massed internees, who had drawn themselves up many ranks deep in military fashion. Behind these ranks were hundreds more, threatening, screaming and throwing rocks down upon the United Nations guards from a high ledge upon which they had taken positions. The commander ordered the rioters to quiet down and to disperse. When his order was disobeyed, he realized that only a show of force could prevent a mass outbreak. The direction of the wind made the use of tear-gas impossible. A frontal approach by the few guards upon the many massed men was out of the question. The rioting was skilfully organized and directed, and it was necessary to fire volleys to quell the rioters in the two compounds where the disturbances had started. Meanwhile, internees had been massing in four of the other compounds. A burst of fire was necessary in two of these compounds in order to prevent further outbreaks. Having quelled the riots in the first two compounds, the camp commander had been able to send the guards into three other compounds and move the demonstrators out without use of firearms.

The use of force to repress inspired and centrally directed outbreaks of fanatical violence by prisoners was at times unavoidable, said the representative of the United States. That such unavoidable use of force should result in casualties was no evidence that force was not required. The

Unified Command had at once instituted an investigation of the incident on Pongam.

One might ask, he continued, what the purpose of the outbreak on Pongam was. Bloodshed was the real motive, the sacrifice of as many internees as possible and the deliberate fashioning of ammunition to provide an excuse for a false issue. The consistent purpose of the Government of the USSR was to create the impression that all prisoners of war wished to be repatriated and were being held against their will. This explained why the representative of the USSR had produced this propaganda item. It was obviously, he said, a clumsy attempt to smear the United States and the United Nations at the last minute, in an effort to cover up the fact that the aggressors and their Soviet sponsors had rejected peace in Korea.

The representative of the USSR had talked of incidents on Koje and Cheju Islands, where there were prisoners of war, not civilian internees, the representative of the United States stated. The facts about the treatment of prisoners of war in Korea were that, from the very beginning, the Unified Command had followed the provisions of the Geneva Convention of 1949. The United Nations prisoner-of-war camps had been wide open to the International Committee of the Red Cross. On occasions when the International Committee had presented criticism, the Unified Command had taken any corrective action necessary. On the other hand, the North Korean-Chinese authorities had hidden their treatment of prisoners from the eyes of the world. They had continually refused to permit the International Committee to inspect their camps. They had refused to exchange relief packages. They had refused to report on the health of the prisoners of war, and refused to exchange the seriously sick and wounded, as required by the Geneva Convention. They had failed to give the accurate location of prisoner-of-war camps and had failed to mark them properly. They had located their camps in places of danger near legitimate military targets, in defiance of that Convention. Until the Government of the USSR accepted the United Nations proposals for solving the prisoner-of-war question, the world would remain convinced that the USSR and its supporters in the United Nations stood alone against the 54 nations which endorsed the principle of non-forcible repatriation as the key to peace in Korea, the United States representative concluded.

The representatives of Canada, Ethiopia, France, Greece, Iraq, Israel, New Zealand, Turkey and the United Kingdom also spoke against the USSR draft resolution (A/2355). The representatives of Canada, France, Greece, New Zealand, Turkey and

the United Kingdom associated themselves with the substance of the statement of the representative of the United States, while the representatives of Ethiopia, Iraq and Israel limited their statements to expressions of the view that the USSR accusations were unsubstantiated by proof and that this in itself precluded their being seriously considered.

The representative of India stressed the need for strict observance of the provisions of the Geneva Convention of 1949 with regard to all prisoners, irrespective of whether they were civilians or not. With reference to Assembly resolution 610(VII), he expressed the hope that the Central People's Government of the People's Republic of China and the Government of the USSR would, on consideration, appreciate that the proposals contained in that resolution were based essentially on the Geneva Convention and on international law, and were not opposed to the basic principles which these Governments themselves had put forward on earlier occasions. With regard to the USSR draft resolution, he declared that he would not vote against it, for the simple reason that it referred to prisoners of war; he could not vote in favour of it, however, because it referred to facts which had not been investigated.

The USSR draft resolution (A/2355) was rejected by a roll-call vote of 45 to 5, with 10 abstentions.

Voting was as follows:

In favour: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Against: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, Iraq, Israel, Lebanon, 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, Burma, Egypt, India, Indonesia, Iran, Pakistan, Saudi Arabia, Syria, Yemen.

6. Relief and Rehabilitation of Korea

a. REPORT BY THE SECRETARY-GENERAL TO THE ECONOMIC AND SOCIAL COUNCIL

At the fourteenth session of the Economic and Social Council, the Secretary-General submitted a report (E/2197) on Korean relief and rehabilitation covering the period from 14 August 1951 to 3 March 1952.

The Secretary-General reported that on 3 March 1952 the Unified Command had agreed to his proposal that, in future, all requests and offers of assistance should be channelled through the Agent

General of the United Nations Korean Reconstruction Agency.

The Secretary-General reported that two additional requests had been received from the Unified Command since his previous report to the Council,¹⁷ bringing to eighteen the total number of requests. One of these requests was a consolidated list of approximate monthly requirements of various relief items for the civilian population of Korea; it had been circulated to all Member and certain non-member States, specialized agencies and voluntary organizations. The other, which asked for additional personnel for service with the United Nations Civil Assistance Command, was passed to the Agent General. From 1 January 1952, with one or two exceptions, all personnel serving in Korea under the Unified Command who had been provided by specialized agencies or other civilian organizations were transferred to the United Nations Korean Reconstruction Agency (UNKRA).

The report detailed offers of assistance received from governments between 14 August 1951 and 3 March 1952, and the total value of contributions from all sources for emergency relief from the inception of the programme to 3 March. The United States Government, the report said, had advised the Secretary-General on 28 March 1952 that the total United States contribution to Korean relief, through the Unified Command, from 25 June 1950 to 1 March 1952, amounted to \$215,608,010. Offers to a total value of \$3,590,947 had been received from non-governmental organizations since 14 August 1951.

The Secretary-General stated that he had drawn the attention of Member States to some of the reports of the United Nations Command (S/2408, S/2410 and S/2412) on its relief activities¹⁸ and had stressed the urgent need for contributions.

The report also listed the assistance pledged and contributed up to 3 March 1952.¹⁹

At its 654th plenary meeting on 22 July, the Council, by 13 votes to none, with 4 abstentions, accepted a Canadian motion for the adjournment of debate on Korean relief and rehabilitation. The adjournment motion was submitted in view of the General Assembly's decision at its sixth session (resolution 507(VI)) to defer the examination of the question until the conclusion of an armistice in Korea, or until events in Korea made its consideration desirable.²⁰

b. REPORT OF THE AGENT GENERAL OF UNKRA

The Agent General of the United Nations Korean Reconstruction Agency (UNKRA) sub-

mitted to the seventh session of the General Assembly his report (A/2222) dated 21 October and its supplement (A/2222/Add.1 and 2) dated, respectively, 1 December 1952 and 18 February 1953. The report and the addenda covered, between them, the period from February 1951 to February 1953. The main report gave an account of the structure of Korean economy during the country's occupation by Japan, the economic dislocation caused by the division of the country in 1948, the work of the Economic Co-operation Administration, which, in 1949, assumed responsibility for the United States aid to Korea, and a detailed account of contemporary economic conditions in South Korea.

Dealing with the "Organization of United Nations Assistance" (chapter IV), the report outlined the background of the events in Korea which had led to the formation, in 1950, of UNKRA (Assembly resolution 410(V))²¹. The report stated that, on 3 March 1952, the United Nations Command accepted a proposal by the Secretary-General that, in the future, all offers of and requests for emergency relief assistance to Korea should be channelled through the Agent General. As of that date, the Agent General assumed full responsibility for this phase of the Korean relief programme. Requests for relief assistance were mainly for food, clothing, medical supplies and personnel. The Governments of Member States as well as some non-members responded generously.²² Assistance was also acknowledged from the International Refugee Organization (IRO), the United Nations International Children's Emergency Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and from non-governmental organizations and voluntary agencies in the United States, Canada, New Zealand and Norway.

In response to requests for personnel to assist in Korean rehabilitation, IRO, the International Labour Organisation (ILO), the World Health Organization (WHO), the Food and Agriculture Organization (FAO), UNESCO and the Technical Assistance Administration contributed the services of specialized personnel. In addition, non-

¹⁷ See Y.U.N., 1951, pp. 231-234.

¹⁸ For relief activities of the United Nations Command see pp. 163-65.

¹⁹ For details of offers of assistance for relief programme as at 15 February 1953 see Annexes to this chapter

²⁰ See Y.U.N., 1951, p. 237.

²¹ For details see Y.U.N., 1950, pp. 280-283.

²² For details of offers of assistance for relief programme see Annexes.

governmental organizations and voluntary agencies provided technical personnel assistance. Under special arrangements with the League of Red Cross Societies, medical teams were supplied by the American, British, Canadian, Danish and Norwegian Red Cross Societies; The Mennonite Central Committee and The Australian Save the Children Fund also sent personnel to Korea in response to Unified Command requests.

The report stated that on 1 January 1952, in agreement with the Secretary-General and the Unified Command, the Agent General became responsible for a large part of the recruitment of specialized civilian personnel for Korea. Provision was made to transfer to UNKRA personnel supplied by the specialized agencies, non-governmental organizations and voluntary agencies, and to second them to the United Nations Civil Assistance Command.

The report then summarized the action taken by the Economic and Social Council and by the General Assembly on Korean relief in 1950, 1951 and 1952,²³ and gave an account of the work of the Negotiating Committee on Contributions to Programmes of Relief and Rehabilitation.²⁴

As of 15 September 1952, 27 Member States had contributed to the UNKRA programme in response to the efforts of the Negotiating Committee and UNKRA, the report said. They had pledged a total of \$205,590,806, of which \$18,718,954 had actually been made available to the Agent General.

In addition, 27 Member States and one non-member State had pledged assistance in response to Security Council resolutions. Of the total of \$270,211,986 pledged in this connexion, \$264,580,697 had been received.²⁵

In Chapter V, under the heading "Organization and General Approach of the Agency", the main report (A/2222) outlined the Agency's relations with the United Nations Commission for the Unification and Rehabilitation of Korea (UNCURK), the United Nations Command and the specialized agencies.

In May 1951 UNCURK formally designated the Government of the Republic of Korea and the Commander-in-Chief of the United Nations Command, together with the sub-ordinate Commands in Korea, as the authorities with whom the Agent General might deal. UNCURK later prescribed the territory within the control of the Republic of Korea as the area within which UNKRA could operate. The Agent General also referred to the agreement reached with the United Nations Command regarding the division of responsibility for

Korean relief and rehabilitation signed on 16 July 1951, the Memorandum of Understanding between the two organizations signed in December 1951 and the supplement thereto signed in March 1952.²⁶

The Joint Committee representing UNKRA and the United Nations Command in Tokyo and Pusan and UNKRA and the Unified Command in Washington had met regularly and proved a useful forum for exchange of views. This organizational pattern was further developed on 24 May 1952 by the creation of a Combined Economic Board in Korea, composed of one representative of the Government of the Republic of Korea and one of the United Nations Command. This Board, established as a result of formal agreement between the Republic of Korea and the Unified Command, had broad powers of control over the Government budget and the utilization of foreign exchange. Its major objective, which was strongly supported by the Agent General, was, the report said, to check the inflation which had reached dangerous limits in Korea. In this connexion the Board proposed to scrutinize all expenditures of won for reconstruction and other purposes.

The Agent General's Advisory Committee had held seventeen meetings with him and had, among other things, adopted the Financial Regulations of the Agency, reviewed the staff rules, adopted a number of interim plans of expenditure, reviewed the accounts and approved a number of projects for implementation. It had also approved important guiding principles in respect to so-called "counterpart" funds, procurements and relations with non-governmental organizations.

The attention of the United Nations, UNKRA and the specialized agencies was now, the Agent General said, concentrated principally on formulating, together with representatives of the Government of the Republic of Korea and the United Nations Command, a comprehensive reconstruction programme to assist the Republic of Korea towards achieving a viable economy.

At the request of the Agent General, specialized agency teams from UNESCO, FAO and WHO currently in Korea would: (1) make general recommendations on the scope of a pro-

²³ See Y.U.N., 1950, pp. 269-283. Y.U.N., 1951, pp. 231-237.

²⁴ See Y.U.N., 1950, p. 283. Y.U.N., 1951, p. 232.

²⁵ For details of offers and contributions made to UNKRA and the emergency relief programme as at 15 February 1953 see Annexes to this chapter.

²⁶ For terms of the agreement and the Memorandum see Y.U.N., 1951, pp. 234-35.

gramme in each of their respective fields, with estimates of outlay in relation to total funds available; and (2) develop specific lists of projects to be carried out as part of the programme, with time schedules, priorities and cost estimates of each project.

Dealing individually with each specialized agency the Agent General acknowledged UNESCO's contribution of \$100,000 in 1950 which was used for acquiring printing machinery for the manufacture of elementary text books.²⁷ The paper was provided by UNKRA. With this joint assistance the Ministry of Education had printed 7,500,500 books. UNESCO had also provided assistance for Korean scholars by making books available and by donating educational supplies for Korean children. The purchase of these supplies was financed by a gift from the Belgian Committee of the United Nations Appeal for Children. Discussions had also been held with UNESCO to assess the suitability of its Gift Coupon Programme for obtaining educational assistance for Korea from voluntary sources. UNESCO continued to participate in the development of programmes for educational rehabilitation. An international team of educators was in Korea to survey Korean educational needs.

The contribution of FAO was also acknowledged; at the time of reporting an eleven-man FAO team was studying Korean agricultural conditions.

UNICEF, it was stated, had maintained a continuous flow of supplies to the United Nations Command for the needs of Korean children. In addition, allocations of substantial funds had been made by the Executive Board of UNICEF, and the Fund had paid for the shipment of a large quantity of cod liver oil.

IRO had contributed medical supplies, cloth, clothing, sewing machines, kitchen equipment, tools and miscellaneous small items. In response to requests for personnel, it had supplied the services of 22 persons. Before it ceased operations, IRO also made a substantial contribution in staff services to the Agent General during the period when he served both as Agent General of UNKRA and as Director-General of IRO.

WHO had made available the services of twenty medical team personnel and three public health advisers. It had also dispatched a three-man planning mission to aid in the formulation of a balanced health programme as part of an over-all Korean reconstruction programme.

In response to the Secretary-General's appeal for personnel for the emergency programme, ILO sent

two experts to work on employment and labour problems. The Agent General had subsequently discussed, with the Director-General of ILO, the question of ILO participation in an expanded relief and rehabilitation programme. The Director-General had promised to make experts available at the appropriate stage of operations.

The Agent General also acknowledged the offers and contributions of non-governmental organizations in the United States, Canada, New Zealand, Norway and other countries.²⁸

He stated that, due to military exigencies, the United Nations Command had been unable, until recently, to permit non-governmental organizations to control the use and distribution in Korea of the supplies they contributed. These supplies had practically all been channelled through the Unified Command. In June 1952, the policy governing the activities of non-governmental organizations was modified to permit the shipment of supplies and equipment to orphanages, hospitals, schools and similar institutions through commercial carriers at their own expense to the extent of 500 long tons per month.

The Agent General, with the approval of the Advisory Committee, was stated to be providing financial assistance to non-governmental organizations and voluntary agencies in connexion with these shipments. Arrangements had been made to ship to Korea, on behalf of the Unitarian Service Committee of Canada, 200,000 pounds of powdered sweetened milk for the Committee's school-feeding programme.

Under the heading "Current Programmes of Relief and Rehabilitation" (Ch.VI), the report said that during the first phase, i.e., during the continuance of hostilities, the task of UNKRA was "complementary and supplementary" to the basic relief and short-term aid programme of the United Nations Command. Thus, in agreement with that Command, UNKRA had initiated and carried out a number of relatively minor projects. More recently, however, the United Nations Command, the Government of the Republic of Korea and the Agent General agreed upon the outlines of a substantial UNKRA rehabilitation programme, to be carried out during the remainder of the current financial year. Agreement was further reached on the development of a single, integrated United Nations—Republic of Korea Government programme for the following financial year. The resources originally pledged to UNKRA for a

²⁷ See Y.U.N., 1950, p. 921.

²⁸ For offers and contributions from non-governmental organizations see Annexes to this chapter.

programme of slightly more than a year's duration would, in combination with those available to the United Nations Command, be spread out over a period of slightly more than two years.

The civilian relief and economic aid programmes of the United Nations Command were and would continue to be on a larger scale than those of UNKRA, the Agent General said. He gave an account of the assistance programmes of the United Nations Command.²⁹

Under the UNKRA programme, it was reported, a small number of projects had been completed or were already far advanced in their implementation. These included, in the field of food production, the importation of hatching-eggs and farm animals, of seed for an experimental seed improvement programme, and of substantial quantities of fishing nets.

In the field of education, projects included the importation of paper for school books, the restoration of university and technical libraries, the provision of manuals for a literacy programme, and the provision of supplies and equipment for a college secretarial course.

A much larger number of projects were currently being developed. These included: the repair of 2,200 school classrooms, about one-fourth of the repairs necessary to restore minimum school conditions in Korea, repair and replacement of some 500 miles of electrical transmission and distribution lines, rehabilitation of three electric generating stations, establishment of a minerals assay laboratory, a mine school, a merchant marine school and provision of mobile clinics to serve as training units for Korean medical personnel. The clinics would also be used for disseminating information on health, hygiene and sanitation.

These specific projects, the report said, were developed on an ad hoc basis through the Joint Committees and after consultation with the Government of the Republic of Korea. There was now full agreement among the Commander-in-Chief, United Nations Command, the Government of the Republic and the Agent General that UNKRA could now carry out a more rounded programme integrated with the civil assistance programme of the United Nations Command.

In the supplementary report (A/2222/Add.1) the Agent General stated that on 24 November 1952 his Advisory Committee adopted a \$70 million programme for the relief and rehabilitation of Korea for the period ending 30 June 1953. The programme which was worked out by the Agent General after consultation with the Commander-in-Chief, the United Nations Command

and the President of the Republic of Korea, was designed to make an immediate and positive contribution towards meeting the most pressing needs of the Korean people in advance of the cessation of hostilities.

As approved, the programme envisaged the expenditure of \$14 million for the importation of essential commodities such as food, lumber and fertilizers, \$10,634,000 for capital equipment for Korean industry, a total of \$6,900,000 for agricultural research, irrigation, land reclamation and farm and fisheries development, and \$7,100,000 to rehabilitate power plants and develop new sources of power. To restore urgently needed educational facilities, approximately \$8 million would be spent on the reconstruction of schools and libraries and to furnish teacher-training and vocational-training services. The work of the United Nations Command which kept major port facilities and railways in repair, would be supplemented by an UNKRA allocation of \$7,500,000 to repair secondary ports and transverse and feeder rail lines. Housing reconstruction would be initiated in the amount of \$3 million, this programme to be expanded as supplies became available. To meet the fuel needs for Korean industrial production and civilian use, \$2 million were allocated for the increase of the production of natural resources such as coal and peat. The health programme of the United Nations Civil Assistance Command in Korea would be supplemented by a \$2,500,000 UNKRA programme to restore hospitals, clinics, water systems and sanitation facilities and to provide for the training of medical assistance personnel.

The Agent General stated in the supplementary report covering the period from 15 September 1952 to 15 February 1953 (A/2222/Add.2) that the Agency was in a position to give substantial aid in the remainder of the financial year. He had inaugurated the \$70 million UNKRA programme and continued the close working relationships with the United Nations Command and the Government of the Republic. Pointing out the dangers of continued inflationary pressures, he stated that the only way to reduce these dangers was to increase the volume of consumer goods available in Korea. The rehabilitation of factories, the restoration of transport and power systems, the repair of schools and construction of houses, hospitals and orphanages all added, in the first instance, to inflationary pressures. Therefore, he considered, no more than a limited amount of construction could be safely undertaken at the present time.

²⁹ For this assistance programme see under "United Nations Command Reports", pp. 163-65.

The general situation, the report stated, had made it necessary to accord first priority to the importation of consumer goods which could be sold to cover the local currency costs of the reconstruction programme. While the provision of local currency was the major objective of the import programme, the selection of commodities to be imported was determined by the most pressing needs of the Korean people and the expressed desire of the Government of the Republic. In December 1952, therefore, the Agent General allocated \$6 million for the purchase of cereals and \$3 million for the import of fertilizer to improve food prospects for next year. The grain, it was reported, was already arriving in Korea. The Agent General also requested the Advisory Committee to approve a modification of the current programme by increasing the amounts allotted for the importation of consumer goods from \$14 million to \$20 million, in order to increase UNKRA's won resources and to ensure that the Agency's reconstruction programme did not accelerate inflation. He recommended that the additional \$6 million should be expended for further grain and fertilizer imports.

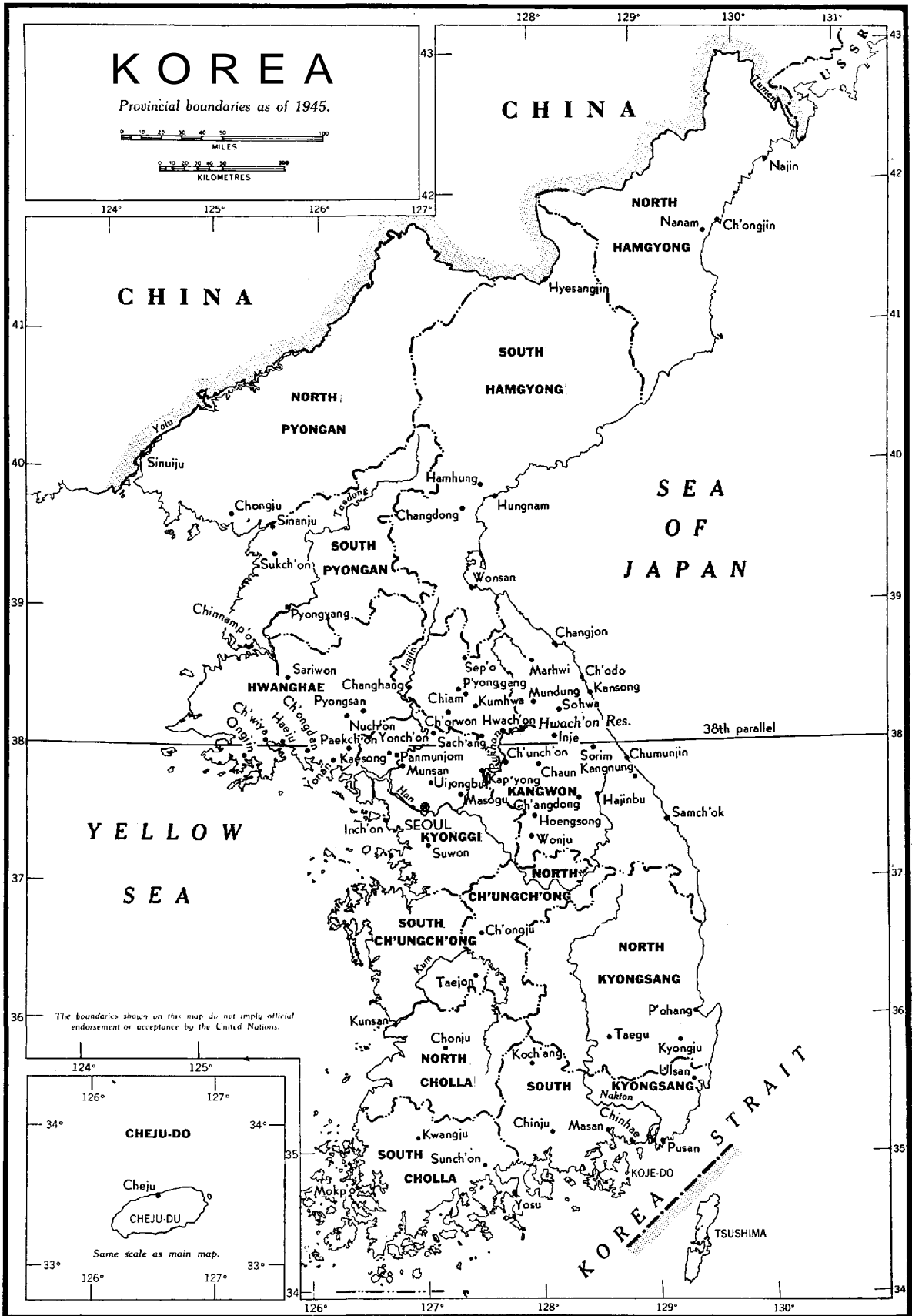
The Agent General concluded by stating that substantial additional resources would have to be made available by the free nations of the world if the shattered Korean economy was to be restored. He believed that the programme would have reached a stage by the end of the current financial year when its continuance would depend upon

the ability of interested governments to make available to UNKRA any remaining portions of contributions originally pledged to the Negotiating Committee for Extra-Budgetary Funds. He also hoped that additional Member and non-member Governments would support the programme.

The following additional contributions were acknowledged since 15 September 1953: \$25 million from the United States and \$110,000 from Venezuela and Australia.

The Agent General reported that discussions had been held with the Governments of the Scandinavian countries and of the United Kingdom and it was expected that approximately \$8,748,840 would be forthcoming from those sources. Furthermore, the Government of Australia was providing a shipment of barley, against its pledge to an approximate value of \$909,440. In addition, a sum of \$869,149 had been received, as of December 1952, as miscellaneous income, bringing the total resources so far available and immediately anticipated, to \$54,356,383. Of this sum, \$4,629,540 was reported to have been expended in the period ending 30 June 1952, leaving a balance of \$49,726,843 available for beginning the \$70 million programme.

The report was not considered until the second part of the Assembly's seventh session, which opened in February 1953. The Assembly's discussions are, therefore, not dealt with in this Yearbook.



MAP NO. 498 UNITED NATIONS
JUNE 1953

ANNEX I. OFFERS OF MILITARY ASSISTANCE TO THE UNIFIED COMMAND FOR KOREA (AS OF OCTOBER 1952)³⁰

Country	Offer	Status
1. Australia	2 destroyers	In action
	1 aircraft carrier	In action
	1 frigate	In action
	1 RAAF fighter squadron	In action
	1 air communication unit with supporting administrative and maintenance personnel	In action
	Ground forces from Australian infantry forces in Japan	In action
	Additional battalion of troops	In action
2. Belgium	Air transport	In operation
	Infantry battalion	In action
	Reinforcements	In action
3. Bolivia	30 officers	Acceptance deferred
4. Canada	3 destroyers	In action
	1 RCAF squadron	In action
	Brigade group, including 3 infantry battalions, 1 field regiment of artillery, 1 squadron of self-propelled anti-tank guns, together with engineer, signal, medical, ordnance and other services with appropriate reinforcements	In action
	Canadian-Pacific Airlines (commercial facilities between Vancouver and Tokyo)	In operation
	10,000-ton dry cargo vessel	In action
5. China	3 infantry divisions	Acceptance deferred
	20 C-47's	Acceptance deferred
6. Colombia	1 frigate	In operation
	1 infantry battalion	In action
7. Costa Rica	Sea and air bases	Accepted
	Volunteers	Acceptance deferred
8. Cuba	1 infantry company	Accepted
9. Denmark	Hospital ship "Jutlandia"	In Korea
	Motorship "Bella Dan"	Superseded by offer of hospital ship "Jutlandia"
10. El Salvador	Volunteers if US will train and equip	Acceptance deferred
11. Ethiopia	1,069 officers and men	In action
12. France	1 patrol gunboat	Returned to other duty after service in Korea
	Infantry battalion	In action
13. Greece	7 RHAF transport aircraft	In action
	Ground forces	In action
	Additional unit of land forces	Pending
14. India	Field ambulance unit	In action
15. Italy	Field ambulance unit	In action
16. Luxembourg	Infantry company (integrated into Belgian Forces)	In action

³⁰ Based on the Special Report by the Unified Command (A/2228), dated 18 October 1952, and amplified by information supplied through delegations concerned.

Country	Offer	Status
17. Netherlands	1 destroyer	In action
	1 infantry battalion	In action
18. New Zealand	2 frigates	In action
	1 combat unit	In action
19. Norway	Merchant ship tonnage	In operation
	Surgical hospital unit	In Korea
20. Panama	Contingent of volunteers	Acceptance deferred
	Use of merchant marine for transportation of troops and supplies	Accepted
	Free use of highways	Accepted
	Farmlands to supply troops	Pending
	Bases for training	Acceptance deferred
21. Philippines	17 Sherman tanks	In action
	1 tank destroyer	In action
	Regimental combat teams consisting of approximately 5,000 officers and men	In action
22. Sweden	Field hospital unit	In action
23. Thailand	Infantry combat team of about 4,000 officers and men	In action
	2 corvettes	In action (one Corvette destroyed after grounding).
	Sea transport	In action
	Air transport	In operation
	Facilities for treatment for frost-bite	Pending
24. Turkey	Infantry combat team of 4,500 men, later increased to 6,086 men	In action
25. Union of South Africa	1 fighter squadron, including ground personnel	In action
26. United Kingdom	Ground troops: 2 brigades composed of brigade headquarters, 5 infantry battalions, 1 field regiment, 1 armoured regiment	In action
	Naval forces: 1 aircraft carrier; 1 aircraft carrier maintenance ship; 2 cruisers, 4 destroyers, 1 survey ship; 1 hospital ship; 7 supply vessels, 4 frigates, 1 headquarters ship;	In action
	Elements of the air force	In action
27. United States	Ground forces: 3 army corps and 1 marine division with supporting elements	In action
	Naval forces: carrier task group with blockade and escort forces; amphibious force; reconnaissance and anti-submarine warfare units; supporting ships	In action
	Air force: 1 tactical air force; 1 bombardment command; 1 combat cargo command; all with supporting elements	In action
	Transport†	
	Medical††	

† No details available. The Unified Command has, however, arranged for transport of United States troops and material, as well as for the transport of some of the forces and material listed in the present summary.

†† No details available. The Unified Command, however, provided full medical facilities not only for US troops but also for the troops of participating governments.

ANNEX II. STATEMENT OF GOVERNMENT OFFERS AND CONTRIBUTIONS FOR THE RELIEF AND REHABILITATION OF
KOREA AS AT 15 FEBRUARY 1953³¹
(IN U.S. DOLLAR EQUIVALENTS)

Member States	Under General Assembly resolution 410(V) of 1 December 1950				Under Security Council resolutions pertaining to the Emergency Programme			Total offered, received and promised under both programmes
	Amount offered	Received in cash	Offered in kind and made available to Unified Command	Balance outstanding	Received in kind	Promised	Total received and promised	
Argentina	500,000	—	500,000	—	—	—	—	500,000
Australia ³²	4,002,710	—	—	4,002,710	412,326	—	412,326	4,415,036
Belgium	—	—	—	—	60,000	—	60,000	60,000
Brazil	—	—	—	—	—	2,702,703	2,702,703	2,702,703
Burma	49,934	—	49,934	—	—	—	—	49,934
Canada ³³	6,904,762	6,904,762	—	—	—	—	—	6,904,762
Chile ³⁴	250,000	—	—	250,000	—	—	—	250,000
China	—	—	—	—	634,782	—	634,782	634,782
Cuba	—	—	—	—	270,962	—	270,962	270,962
Denmark	860,000	—	—	860,000	238,011	—	238,011	1,098,011
Dominican Republic	10,000	—	—	10,000	—	—	—	10,000
Ecuador	—	—	—	—	99,441	—	99,441	99,441
Egypt	28,716	—	—	28,716	—	—	—	28,716
El Salvador	500	—	—	500	—	—	—	500
Ethiopia ³⁵	40,000	40,000	—	—	—	—	—	40,000
France	—	—	—	—	74,286	—	74,286	74,286
Greece	—	—	—	—	153,219	—	153,219	153,219
Guatemala ³⁶	—	—	—	—	—	—	—	—
Honduras	2,500	2,500	—	—	—	—	—	2,500
Iceland	—	—	—	—	45,400	—	45,400	45,400
India	—	—	—	—	171,080	—	171,080	171,080
Indonesia	100,000	100,000	—	—	—	—	—	100,000
Iran ³⁷	—	—	—	—	—	—	—	—
Israel	33,600	—	33,600	—	63,000	—	63,000	96,600
Lebanon ³⁸	50,000	50,000	—	—	—	—	—	50,000
Liberia	15,000	—	15,000	—	10,000	—	10,000	25,000
Luxembourg	30,000	20,000	—	10,000	—	—	—	30,000
Mexico ³⁹	—	—	—	—	346,821	—	346,821	346,821
Netherlands	263,158	263,158	—	—	—	—	—	263,158
New Zealand	—	—	—	—	279,597	—	279,597	279,597

Paraguay ⁴⁸	10,000	10,000	—	—	—	—	—	10,000
Peru	—	—	—	—	58,723	—	58,723	58,723
Philippines ⁴⁴	—	—	—	—	2,330,653	—	2,330,653	2,330,653
Saudi Arabia	20,000	20,000	—	—	—	—	—	20,000
Sweden	966,518	—	—	966,518	48,326	—	48,326	1,014,844
Syria ⁴⁵	11,408	—	—	11,408	—	—	—	11,408
Thailand	—	—	—	—	4,368,000	—	4,368,000	4,368,000
Turkey ⁴⁶	—	—	—	—	—	—	—	—
United Kingdom	28,000,000	700,000	—	27,300,000	752,146 ⁴⁷	580,962	1,333,108	29,333,108
United States ⁴⁸	162,500,000	35,000,000	—	127,500,000	321,688,005	—	321,688,005	484,188,005
Uruguay	—	—	—	—	250,780	2,000,000	2,250,780	2,250,780
Venezuela	70,000	—	70,000	—	80,842	—	80,842	150,842
TOTAL	205,550,806	43,110,420	668,534	161,771,852	332,885,685	5,283,665	338,169,350	543,720,156
Non-member States								
Austria	40,000	—	40,000	—	—	—	—	40,000
Cambodia ⁴⁹	—	—	—	—	2,429	25,000	27,429	27,429
Germany	—	—	—	—	47,619	—	47,619	47,619
Japan	—	—	—	—	50,000	—	50,000	50,000
Switzerland (and International Red Cross ⁵⁰)	—	—	—	—	34,884	—	34,884	34,884
Vietnam ⁵¹	10,000	10,000	—	—	—	1,943	1,943	11,943
TOTAL	50,000	10,000	40,000	—	134,932	26,943	161,875	211,875
GRAND TOTAL	205,600,806	43,120,420	708,534	161,771,852	333,020,617	5,310,608	338,331,225	543,932,031

³¹ Taken from Addenda to the Report of the Agent General of the United Nations Korean Reconstruction Agency (A/2222/Add.1 & 2).

³² Contributions to emergency programme deducted from amount pledged to UNKRA.

³³ Converted from Canadian \$7,250,000 at rate ruling on date of receipt, 31 March 1951—Can. \$1.05—US \$1.00.

³⁴ An offer of nitrates from the Government of Chile is pending further legislation.

³⁵ Expended by WHO on behalf of UNKRA on medical supplies for Unified Command.

³⁶ "Several thousand tons of timber"—offered but not yet valued.

³⁷ An offer of fuel was declined by Unified Command owing to difficulty of transportation.

³⁸ Offered to emergency programme but made available to UNKRA.

³⁹ Supplies to value of \$462,428 were shipped to Korea of which \$115,607 was intended as contribution to Palestine relief. This will be subject to adjustment between emergency programme and UNRWAPRNE.

⁴⁰ Tentative value only.

⁴¹ Offer of supplies declined by Unified Command unless made available at US port.

⁴² Contributions to emergency programme deducted from amount pledged to UNKRA. *Tentative value only.

⁴³ Offered to emergency programme but made available to UNKRA.

⁴⁴ Tentative value only.

⁴⁵ Offer not yet formally confirmed.

⁴⁶ An offer of medical supplies was declined by Unified Command owing to difficulty of shipment.

⁴⁷ Tentative value only.

⁴⁸ Total contribution to emergency relief through Unified Command from 25 June 1950 to 31 December 1952.

⁴⁹ An offer of rice, dried fish and timber is under consideration by Unified Command.

⁵⁰ Tentative value only.

⁵¹ An offer of rice is under consideration by Unified Command.

ANNEX III. SUMMARY OF ASSISTANCE FOR THE KOREAN EMERGENCY RELIEF PROGRAMME (REPORTED BY THE AGENT GENERAL OF UNKRA AS AT 15 SEPTEMBER 1952 (A/2222) AND FROM 15 SEPTEMBER 1952 to 15 FEBRUARY 1953 (A/2222/Add.1 and 2))

A. MEMBER AND NON-MEMBER STATES

1. OFFERS MADE DIRECT TO EMERGENCY PROGRAMME

AS AT 15 SEPTEMBER 1952

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
Australia	28 Nov. 1950	Penicillin crystalline	67,344		Arrived in Korean theatre
	14 Dec. 1950	Distilled water	31,836		Arrived in Korean theatre
		Laundry soap, 116,000 lbs.	8,029		Arrived in Korean theatre
	8 Jan. 1951	Procaine penicillin	108,547		Arrived in Korean theatre
	31 Jan. 1951	Barley, 2,000 long tons	196,570	412,326	Arrived in Korean theatre
Belgium	7 Nov. 1950	Sugar, 400 metric tons	60,000	60,000	Arrived in Korean theatre
Brazil	22 Sept. 1950	Cruzeiros, 5.0 million	2,702,703	2,702,703	Pending legislation
Cambodia	11 May 1951	Salted fish, 1,400 kgs.	389		Arrived in Korean theatre
	14 June 1951	Rice, 52 metric tons	583		Arrived in Korean theatre
	25 Feb. 1952	Rice, 100 sacks	1,457	2,429	Under shipment
China	4 Oct. 1950	Coal, 9,900 metric tons Rice, 1,000 metric tons Salt, 3,000 metric tons DDT, 20 metric tons	613,630		Shipped direct to Korea by Government of China
	17 July 1951	Medical supplies	21,152	634,782		Stored in Japan
Cuba	2 Oct. 1950	Sugar, 2,000 metric tons Alcohol, 10,000 gallons	270,962	270,962	Arrived in Korean theatre
Denmark	5 July 1950	Medical supplies	142,964		Arrived in Korean theatre
	26 Sept. 1950	Sugar, 500 metric tons	95,047	238,011	Arrived in Korean theatre
Ecuador	13 Oct. 1950	Rice, 500 metric tons	99,441	99,441	Arrived in Korean theatre
France	9 Oct. 1950	Medical supplies	74,286	74,286	Arrived in Korean theatre
	29 Dec. 1950	Medical supplies			
Greece	20 Oct. 1950	Soap, 113 metric tons	31,167		Arrived in Korean theatre
	30 Nov. 1950	Notebooks and pencils, 25,000 each	1,333		Arrived in Korean theatre
	27 Dec. 1950	Medical supplies	84,586		Arrived in Korean theatre
	15 April 1952	Salt, 10,000 tons	36,133	153,219	Accepted by Unified Command
Iceland	14 Sept. 1950	Cod Liver oil, 125 metric tons	45,400	45,400	Arrived in Korean theatre
India	4 Oct. 1950	Jute bags, 400,000	167,696		Arrived in Korean theatre
	11 Oct. 1950	Medical supplies	3,384	171,080	Arrived in Korean theatre

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
Israel	22 Aug. 1950	Medical supplies	63,000	63,000	Arrived in Korean theatre
Liberia	17 July 1950	Natural rubber	10,000	10,000	Arrived in Korean theatre
Mexico ⁵²	30 Sept. 1950	Pulses and rice	} 346,821	346,821	Arrived in Korean theatre
		Medical supplies			
New Zealand	6 Oct. 1950	Dried peas, 492 long tons	55,318		Arrived in Korean theatre
	20 Nov. 1950	Milk powder, 150 metric tons	66378 ⁵³		Arrived in Korean theatre
		Soap, 200 metric tons	49,644 ⁵³		Arrived in Korean theatre
	14 Mar. 1951	Vitamin capsules	38,532 ⁵³		Arrived in Korean theatre
	26 May 1952	Soap and vitamin capsules	69,725 ⁵³	279,597	Accepted by Unified Command
Nicaragua	16 Nov. 1950	Rice, 1,000 quintals	} —		Declined unless can be made available at United States port
	16 Dec. 1950	Rice, 2,000 quintals			
		Alcohol, 5,000 quarts			
Norway	13 Feb. 1951	Soap, 120,250 lbs.	21,091		Arrived in Korean theatre
		Vitamins, 24,850 bottles	10,210		Arrived in Korean theatre
		Ether	36,699 ⁵³	71,000	Under shipment
Pakistan	29 Aug. 1950	Wheat, 5,000 metric tons	378,285	378,285	Arrived in Korean theatre
Peru	21 Nov. 1950	Clothing, cotton wool and cloth	58,723	58,723	Under shipment
Philippines	7 July 1950	Soap, 50,000 cakes	5,500		Under shipment
	7 Sept. 1950	Vaccine	50,050		Arrived in Korean theatre
	8 Sept. 1950	Rice, 10,000 metric tons	2,255,628		8,285 tons arrived in Korean theatre, balance awaiting shipment. Tentative value only
	8 Sept. 1950	Fresh blood, 518 units	19,475		Arrived in Korean theatre
	29 Nov. 1950	Fresh blood, 500 units	—	2,330,653	Declined
Sweden	14 May 1952	Medical supplies	48,326	48,326	Under shipment
Thailand	20 Sept. 1950	Rice, 40,000 metric tons	4,368,000	4,368,000	Arrived in Korean theatre
Turkey	29 Aug. 1950	Vaccines and serums	—	—	Declined owing to difficulties of transportation
United Kingdom of Great Britain and Northern Ireland	19 Oct. 1950	Salt, 6,000 long tons	139,150		Arrived in Korean theatre
	20 Oct. 1950	Sulfa drugs	48,791		Arrived in Korean theatre
	22 Dec. 1950	Food yeast, 50 long tons	25,167		Arrived in Korean theatre
	19 June 1951	Supplies to the value of £400,000 including:	1,120,000		Supplies to be made available at request of Unified Command
		Charcoal, 24,000 piculs			Under shipment

⁵² Supplies to the value of \$462,428 were shipped by the Mexican Government to Korea, of which \$115,607 was intended as a contribution to Palestine relief. This will be subject to adjustment between the Emergency Programme and UNRWAPRNE.

⁵³ Tentative value only.

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total (\$ US equivalent)	Status
		Salt, 8,200 long tons			Arrived in Korean theatre
		Food yeast, 75 tons			Accepted by Unified Command
		Cotton sheeting		1,333,108	Acceptance pending
United States of America	Official valuation received on 10 Oct. 1952	Total contribution to emergency relief from 25 June 1950 to 31 August 1952		253,728,212	This total includes: \$214,966,395 for goods supplied or in process of supply from US Army plus transportation costs of \$31,270,488; US borne transportation for sundry donations \$1,-966,483; ECA relief assistance (exclusive of approximately \$32 million non-relief ECA economic assistance) \$5,-524,846
Uruguay	14 Sept. 1950	2 million dollars (US)	2,000,000		Pending legislation
	28 Oct. 1950	Blankets, 70,000	250,780	2,250,780	Arrived in Korean theatre
Venezuela	14 Sept. 1950	Medical supplies and foodstuffs	80,842	80,842	
			TOTAL	<u>270,211,986</u>	

FROM 15 SEPTEMBER 1952 TO 15 FEBRUARY 1953

Total received and promised to 15 September 1952				270,211,986	
Cambodia	8 Nov. 1952	Rice, dried fish and timber	25,000		Acceptance pending
Germany	25 Nov. 1952	Medical supplies	47,619		Accepted by Unified Command
Iran	13 Jan. 1953	1,000 tons of fuel	Not valued		Declined owing to difficulties of transportation
Japan	8 Jan. 1953	Cotton cloth, thread, cotton socks, underwear, medical supplies	50,000		Accepted by Unified Command
Switzerland (and International Red Cross)	11 Dec. 1952	Medical supplies	38,884		Accepted by Unified Command. Tentative value only
United Kingdom	5 Jan. 1953	Medical supplies, blankets, cotton goods, underwear, nails			Acceptance pending. The value of these supplies (approximately \$280,000) will be deducted from amount of \$1,-120,000 pledged on 19 June 1951

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
United States of America	Official valuation received on 12 Feb. 1953	Additional contribution for emergency relief from 31 August 1952 —31 December 1952	57,959,793		This total includes cost of goods supplied or in process of supply from U.S. Army plus transportation costs; also included are U.S. borne transportation costs for sundry donations
Vietnam	22 Nov. 1952	Rice: 10 tons				1,943	68,119,239	Acceptance pending
TOTAL TO 15 FEBRUARY 1953				338,331,225	

2. OFFERS MADE TO THE NEGOTIATING COMMITTEE ON CONTRIBUTIONS TO PROGRAMMES OF RELIEF AND REHABILITATION BUT MADE AVAILABLE BY UNKRA TO THE EMERGENCY PROGRAMME

AS AT 15 SEPTEMBER 1952

Argentina	8 Aug. 1951	Corned meats, 13,950 cases	500,000	500,000	Arrived in Korean theatre
Burma	1 Feb. 1951	Rice, 400 metric tons	49,934	49,934	Arrived in Korean theatre
Israel	19 Feb. 1951	Citrus products	33,600	33,600	Arrived in Korean theatre
Liberia	23 Feb. 1951	Natural rubber	15,000	15,000	Arrived in Korean theatre
TOTAL				598,534	

FROM 15 SEPTEMBER 1952 TO 15 FEBRUARY 1953

Total received to 15 September 1952				598,534	
Austria	16 June 1952	Medical equipment	40,000		Under shipment
Venezuela	11 Mar. 1952	Canned fish, footwear, and cotton blankets	70,000	110,000	Under shipment
TOTAL				708,534	

3. CASH CONTRIBUTIONS OFFERED TO THE EMERGENCY PROGRAMME BUT CREDITED TO UNKRA

AS AT 15 SEPTEMBER 1952; NO CHANGE BY 15 FEBRUARY 1953

"Ethiopia	5 Aug. 1950	£14,286 Sterling		40,000	Transferred by UNKRA to World Health Organization and expended on medical supplies for Unified Command
Lebanon	26 July 1950	\$US50,000		50,000	
Paraguay	3 Nov. 1950	\$US10,000		10,000	
TOTAL				100,000	

Yearbook of the United Nations

SUMMARY OF ALL GOVERNMENTAL ASSISTANCE

As AT 15 SEPTEMBER 1952

Section (1).....	270,211,986
Section (2).....	598,534
Section (3).....	100,000
GRAND TOTAL (PART A)	<u>270,910,520</u>

As AT 15 FEBRUARY 1953

Section (1).....	338,331,225
Section (2).....	708,534
Section (3) unchanged from original report ..	100,000
GRAND TOTAL	<u><u>339,139,759</u></u>

B. NON-GOVERNMENTAL ORGANIZATIONS (BY COUNTRY)

AS AT 15 SEPTEMBER 1952

Country	Date of offer	Details of offer	Value (\$ US equivalent)	total	Status
Australia Save the Children Fund	25 June 1951	Services of 3 medical and welfare personnel			1 doctor now work- ing in Korea with UNCAK
Canada United Church of Canada	19 April 1951	Used clothing and shoes, 24,000 lbs.	24,000		Arrived in Korean theatre
	14 Nov. 1951	Used clothing, 30,000 lbs.	30,000		Arrived in Korean theatre
	4 Feb. 1952	Used clothing, 30,000 lbs.	30,000		Arrived in Korean theatre
	7 May 1952	Used clothing, 40,000 lbs.	40,000		Accepted by Unified Command
	21 July 1952	Used clothing, 40,000 lbs.	40,000	164,000	Accepted by Unified Command
Colombia Commercial firms	3 Mar. 1951	Clothing—amount not specified			Accepted by Unified 500 Command
	19 Mar. 1951	Clothing—amount not specified			
Japan Japan Canned and Bottled Food Assoc.	27 April 1951	Preserved foods, 300 cases	3,000		Arrived in Korean theatre. Tentative value only
Japanese Catho- lic Organiza- tion AI RIN KAI	17 June 1952	Textiles and miscel- laneous supplies	5,400	8,400	Stored in Japan
New Zealand Council of Or- ganizations for Relief Services Overseas	21 Nov. 1950	Used clothing, 71 cases	11,377		Arrived in Korean theatre

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
	16 Mar. 1951	Used clothing, 48 cases	19,392		Arrived in Korean theatre
	15 Oct. 1951	Used footwear and clothing, 104 cases	44,069		Accepted by Unified Command
	23 April 1952	Used clothing, 15 cases	12,029		Accepted by Unified Command
	23 April 1952	Clothing and footwear, 9 cases, 10 bales	14,052		Accepted by Unified Command
	16 May 1952	Medical books, 12 cases	1,349		Accepted by UNK-RA for medical library
	25 Aug. 1952	Medical books (not yet valued)		102,268	Accepted by UNK-RA for medical library
Norway					
Europahjelpen	29 Dec. 1950	Clothing, 126 metric tons	277,780	277,780	Arrived in Korean theatre
United Kingdom					
YWCA, Hong Kong	29 Mar. 1951	Clothing and cloth, 1,200 lbs.	1,200	1,200	Arrived in Korean theatre. Tentative value only
United States of America					
American Friends Service Committee	16 Nov. 1950	Used clothing, 103,000 lbs. } Soap, 5,000 lbs. }	104,000		Part arrived in Korea, balance under shipment
	23 Jan. 1951	Used clothing, 10 metric tons	20,000		Part arrived in Korea, balance under shipment
	14 Feb. 1951	Used clothing, 11,000 lbs.	10,000		Part arrived in Korea, balance under shipment
	12 Mar. 1951	Used clothing, 7,500 lbs.	7,500		Arrived in Korean theatre
	28 May 1951	Used clothing, 24,233	24,233		Arrived in Korean theatre
	12 July 1951	Used clothing, 67,500 lbs.	67,500		Part arrived in Korea, balance stored in Japan
	28 Aug. 1951	Used clothing, 32,500	32,500		Arrived in Korean theatre
	11 Sept. 1951	Used clothing, 60,860 lbs. } Soap, 3,700 lbs. }	60,860 370	326,963	Arrived in Korean theatre
American Relief for Korea					
	13 June 1951	Used clothing and shoes, 500,000 lbs.	480,000		Arrived in Korean theatre
	24 Oct. 1951	Used clothing and shoes, 3,868,403 lbs. } Hospital supplies, 1,135 lbs. } Powdered milk, 400 lbs. }	3,869,650		Arrived in Korean theatre
	3 Mar. 1952	Used clothing and shoes, 1,500,000 lbs.	1,225,000		Part arrived in Korea, balance under shipment
	13 Mar. 1952	Rice, 20,000 lbs.	2,000		Arrived in Korean theatre
	21 May 1952	Canned goods, 150 lbs.	30		Accepted by Unified Command
		Children's supplies, 315 lbs	315		Accepted by Unified Command

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
		Physician's samples, 177 lbs. (no com- mercial value)			Accepted by Unified Command
	18 Aug. 1952	Used clothing and shoes, 1,500,000 lbs.	1,225,000		Accepted by Unified Command
		Laundry and toilet soap, 12,000 lbs.	<u>2,160</u>	6,804,155	Accepted by Unified Command
Church World Service	25 Sept. 1950	Used clothing and miscellaneous supplies	104,958		Arrived in Korean theatre
	6 Nov. 1950	Vitamin tablets, 1,000,000	5,500		Arrived in Korean theatre
		Used clothing, 100,000 lbs.	100,000		Arrived in Korean theatre
	30 Jan. 1951	Used clothing, 60,000 lbs.	60,000		Arrived in Korean theatre
	19 Feb. 1951	Used clothing, 12,000 lbs.	12,000		Arrived in Korean theatre
	21 Feb. 1951	Used clothing, 40,000 lbs.	40,000		Arrived in Korean theatre
	2 April 1951	Used clothing, 10,000 lbs.	10,000		Arrived in Korean theatre
	18 May 1951	Used clothing, 50,000 lbs.	50,000		Arrived in Korean theatre
	28 Mar. 1952	Hospital supplies (in- cluding 1,000,000 vi- tamin tabs.), 6,720 lbs.	33,600		Arrived in Korean theatre
		Used clothing, 268,567 lbs.	268,567		Arrived in Korean theatre
		Food, 54,248 lbs.	14,595		Arrived in Korean theatre
		Soap, 2,433 lbs.	243	699,463	Arrived in Korean theatre
Committee for Free Asia	8 Aug. 1951	Newsprint, 1,000 tons	150,000	150,000	Arrived in Korean theatre
Co-operative Agencies for Remittances to Europe, Inc. (CARE)	21 Sept. 1950	Food and clothing packages	100,000		Arrived in Korean theatre
	20 Nov. 1950	Blankets and textile packages	154,294		Arrived in Korean theatre
	10 April 1951	Food packages	100,000		Arrived in Korean theatre
	19 June 1951	Food packages	100,000		Arrived in Korean theatre
		Blanket packages	28,000		Arrived in Korean theatre
	25 July 1951	Food packages	110,000		Arrived in Korean theatre
	13 Aug. 1951	Dress material, soap, food	1,565		Arrived in Korean theatre
	22 Aug. 1951	Food packages	100,000		Arrived in Korean theatre
	19 Oct. 1951	Knitting wool packages	25,000		Arrived in Korean theatre
	3 Dec. 1951	Clothing and blanket packages	85,000		Arrived in Korean theatre
		Food packages	100,000		Arrived in Korean theatre

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
	9 Jan. 1952	Soap packages	38,800		Arrived in Korean theatre
	21 Jan. 1952	Blankets and underwear	80,000		Part arrived Korea, balance available Japan
	21 Feb. 1952	Food packages	100,000		Arrived in Korean theatre
	10 Mar. 1952	Food packages	230,000		Part delivered Korea, balance under shipment
	21 Mar. 1952	Cotton packages	17,500		Under shipment
	25 April 1952	Food packages	140,000		Under shipment
	23 May 1952	Knitting packages	25,000		Under shipment
	14 July 1952	Food packages	100,000		Accepted by Unified Command
	31 July 1952	Cloth, 13,595 lbs.	10,000		Accepted by Unified Command
	19 Aug. 1952	Food packages, 14,870 lbs.	74,350	1,719,509	Accepted by Unified Command
Friendship Among Children and Youth Around the World Inc.	26 Feb. 1952	Relief parcels, clothing, shoes	8,700	8,700	Under shipment
General Conference of Seventh Day Adventists Heifer Project Committee	11 April 1951	Used clothing, 19,000 lbs.	10,000	10,000	Arrived in Korean theatre
	6 Mar. 1952	Hatching eggs, 250,000	17,500		Arrived in Korean theatre, offer originally made to UNKRA who in turn offered this donation to Unified Command
	19 June 1952	Goats, 100 } Pigs, 300 }	25,000	42,500 42,500	
Lutheran World Relief	23 Feb. 1951	Used clothing, 44,500 lbs.	44,500		Arrived in Korean theatre
	26 Mar. 1951	Used clothing and soap, 12,851 lbs.	12,851		Arrived in Korean theatre
	26 April 1951	Used clothing, 200 bales	25,287		Arrived in Korean theatre
	18 July 1951	Used clothing, 290 bales	29,000		Arrived in Korean theatre
	15 April 1952	Used clothing and bedding, 21,750 lbs.	21,750		Under shipment
	1 May 1952	Used clothing, 60,000 lbs.	60,000		Under shipment
	19 June 1952	Used clothing and bedding	14,031	207,469	Accepted by Unified Command
Manget Foundation Mennonite Central Committee	26 Sept. 1951	Used clothing, 101 bales	9,000	9,000	Arrived in Korean theatre
	Oct. 1951	Services of 1 supply officer			Services made available for one year from October 1951
Oriental Missionary Society	19 Feb. 1951	Used clothing, 102,883 lbs.	102,883	102,883	Arrived in Korean theatre
Presbyterian Church in the United States	10 Sept. 1951	Medical supplies	950	950	Arrived in Korean theatre

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status	
Save the Children Federation	12 Dec. 1950	Used clothing, 4,913 lbs.	5,033		Arrived in Korean theatre	
	16 Feb. 1951	Used clothing, 10,011 lbs.	10,087		Arrived in Korean theatre	
	23 April 1951	Used clothing, 13,512 lbs.	13,610		Arrived in Korean theatre	
	9 July 1951	Used clothing, 15,700 lbs.	15,395		Arrived in Korean theatre	
	20 July 1951	School equipment	1,200		Arrived in Korean theatre	
	10 Oct. 1951	Used clothing, 15,136 lbs.	15,115		Arrived in Korean theatre	
	10 Oct. 1951	School equipment and gift packages	7,500		Part arrived Korean theatre, part un- der shipment	
	22 Oct. 1951	Used clothing, 4,826 lbs.	4,826		Arrived in Korean theatre	
	10 Dec. 1951	Used clothing, 9,867 lbs.	9,867		Arrived in Korean theatre	
	21 Jan. 1952	Gift packages and tents	2,900		Arrived in Korean theatre	
	28 April 1952	School equipment Used clothing, 10,257 lbs.	5,000 10,326		Under shipment Under shipment	
	9 July 1952	Tents and poles	360		Accepted by Unified Command	
	4 Aug. 1952	Layettes	900	102,119	Accepted by Unified Command	
	War Relief Services	17 Oct. 1950	Used clothing, soap, medicinal supplies	290,749		Arrived in Korean theatre
	National Catholic Welfare Con- ference	27 Oct. 1950	Services of medical team			Declined
17 Nov. 1950		Clothing, shoes, soap	99,739		Arrived in Korean theatre	
29 Nov. 1950		Used clothing, 1,000,000 lbs.	1,000,000		Arrived in Korean theatre	
7 Dec. 1950		Used clothing, 1,000,000 lbs.	1,000,000		Arrived in Korean theatre	
7 Dec. 1950		Used clothing 70,000 lbs.	70,000		Arrived in Korean theatre	
16 Feb. 1951		Medicinals	2,600		Arrived in Korean theatre	
		Used clothing 20,000 lbs.	20,000		Arrived in Korean theatre	
26 Mar. 1951		Dried milk, 1,000,000 lbs.	125,000		Arrived in Korean theatre	
		Dried eggs, 100,000 lbs.	40,000		Arrived in Korean theatre	
30 Aug. 1951		Used clothing, 10,000 lbs.	10,000		Arrived in Korean theatre	
22 Oct. 1951		Used clothing, 950,000 lbs.	950,000		Arrived in Korean theatre	
6 Dec. 1951		Used clothing, 400,000 lbs.	400,000		Arrived in Korean theatre	
27 Dec. 1951		Used clothing, 115,000 lbs.	115,000		Under shipment	
15 Feb. 1952		Used clothing, 12,000 lbs.	12,000		Part delivered Ko- rean theatre, bal- ance under ship- ment	
12 Mar. 1952		Baby foods, 31,844 lbs.	8,250	4,143,338	Under shipment	

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
Miscellaneous					
United States Sources					
Anonymous donors					
	—	Used clothing, 130,802 lbs.	130,802		Arrived in Korean theatre
	—	Chaplain's supplies	3,360		Arrived in Korean theatre
	—	Canned milk and food	250		Arrived in Korean theatre
	—	Law books, 1 set	600		Arrived in Korean theatre
Mrs. J. M. Lee, Chicago	—	Used clothing, 1,120 lbs.	1,120		Arrived in Korean theatre
Korean Consul General, San Francisco	—	Used clothing, 756 lbs.	750		Arrived in Korean theatre
School Children of San Francisco					
	—	Rice, 800 lbs.	80		Arrived in Korean theatre
USA Naval Hospital Bethesda					
	—	Medical books, 2 cases	500		Arrived in Korean theatre
US 3rd Army					
	—	Baby clothes and used clothing	10,857		Arrived in Korean theatre
USAF 19 Bomardment Wing					
	—	Used clothing, 200 lbs.	120		Arrived in Korean theatre
Special Service Officer, US Army in Pacific					
	—	Used clothing, 16 boxes	1,120		Arrived in Korean theatre
Sharp and Dohme, Philadelphia					
	—	"Captivate" 600 bottles	1,000		Arrived in Korean theatre
Cash donations					
	—		1,903	152,462	
TOTAL NON-GOVERNMENTAL ORGANIZATIONS AND MISCELLANEOUS				15,033,659	

FROM 15 SEPTEMBER 1952 TO 15 FEBRUARY 1953

Total received to 15 September 1952 15,033,659

Canada					
United Church of Canada					
	27 Oct. 1952	Used clothing, 40,000 lbs.	40,000		Accepted by Unified Command
	17 Dec. 1952	Used clothing, 40,000 lbs.	40,000	80,000	Accepted by Unified Command
Unitarian Services Commission					
	18 Dec. 1952	Used clothing, 4,000 lbs.	4,000		Accepted by Unified Command
New Zealand					
Council of Organizations for Relief Services Overseas					
	15 Oct. 1952	Used clothing and footwear, 33 cubic tons	24,640		Accepted by Unified Command
	26 Nov. 1952	Dental supplies	200	24,840	Accepted by Unified Command

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status	
United States of America American Relief for Korea	10 Nov. 1952	Toilet and laundry soap	4,500		Accepted by Unified Command	
	13 Nov. 1952	Used clothing and shoes, 1,500,000 lbs.	1,225,000		Accepted by Unified Command	
	16 Jan. 1953	Toilet and laundry soap, 25,000 lbs.	4,500		Accepted by Unified Command	
	22 Jan. 1953	Dried fruit: 10,458 lbs.	1,992	1,235,992	Accepted by Unified Command	
Cooperative Agencies for Remittances to Europe, Inc. (CARE)	6 Oct. 1952	Vitamins: 350 cartons	9,500		Accepted by Unified Command	
	16 Oct. 1952	Cotton, wool blankets, underwear packages and remnants	} 43,000		Accepted by Unified Command	
	28 Oct. 1952	200 Korean cotton packages		20,000	Accepted by Unified Command	
	13 Nov. 1952	2,030 knitting wool packages	20,300		Accepted by Unified Command	
	13 Nov. 1952	1,500 underwear packages	15,000		Accepted by Unified Command	
	13 Nov. 1952	5,000 food packages	50,000		Accepted by Unified Command	
	8 Jan. 1953	1,500 blanket packages	10,500	168,300	Accepted by Unified Command	
	Friendship Among Chil- dren and Youth Around the World, Inc.	4 Dec. 1952	1,470 "Share your Friendship" parcels	12,000	12,000	Accepted by Unified Command
Lutheran World Relief		23 Oct. 1952	Used clothing: 1 ton	8,000	8,000	Accepted by Unified Command
Miscellaneous United States Sources Religious denomi- nations, Fort Devens	—	Miscellaneous welfare supplies	1,000		Accepted by Unified Command	
	U.S. Army Chapels, Alaska	—	Food	1,271		Accepted by Unified Command
	A. William Neal, Chicago	—	Medical library	2,500		Accepted by Unified Command
	States Grain Corporation	—	1,800 bushels soft white wheat	4,000		Accepted by Unified Command
	Cash donations	—		800	9,571	Accepted by Unified Command
TOTAL NON-GOVERNMENTAL ORGANIZATIONS				<u>16,576,362</u>		

C. SPECIALIZED AGENCIES

AS AT 15 SEPTEMBER 1952; NO CHANGE BY 15 FEBRUARY 1953

Agency	Date of offer	Details of offer	(\$ US equivalent)		Status	
International Labour Office	29 Nov. 1950	Services of 2 labour advisers			Services made available by ILO until 1 January 1952	
International Refugee Organization	3 Aug. 1950	Clothing, cloth, thread, kitchen equipment, sewing machines	179,000		Arrived in Korean theatre	
	8 Aug. 1950	Medical supplies: 2 metric tons	12,177		Arrived in Korean theatre	
	19 Aug. 1950	Services of 5 medical team personnel		191,177		Services made available by IRO until 1 January 1952
		Services of 4 medical team personnel				
	Services of 5 supply officers					
United Nations Educational, Scientific and Cultural Organization	31 Jan. 1951	\$100,000 for purchase of educational supplies	100,000	100,000	Made available to Unified Command	
United Nations International Children's Emergency Fund	27 Sept. 1950	Blankets, 312,020	535,006		Arrived in Korean theatre	
		Powdered milk, 330,000 lbs.	10,054		Arrived in Korean theatre	
	28 Sept. 1950	Soap, 100,000 lbs.	7,167		Arrived in Korean theatre	
		Medical supplies	1,964		Arrived in Korean theatre	
	26 Jan. 1951	Clothing	200,000		Arrived in Korean theatre	
	1 Feb. 1951	Clothing	199,586		Arrived in Korean theatre	
	24 July 1951	Freight charges on cod liver oil donated by Iceland	3,729		Arrived in Korean theatre	
Cotton cloth, 2,400,000 yds.		540,000	1,497,506	Arrived in Korean theatre		
World Health Organization	8 Aug. 1950	Services of 10 medical team personnel			Services made available by WHO until 1 January 1952	
	4 Sept. 1950	Services of 3 public health advisors				
	22 Nov. 1950	Services of 10 medical team personnel				
TOTAL				<u>1,788,683</u>		

D. LEAGUE OF RED CROSS SOCIETIES

AS AT 15 SEPTEMBER 1952

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
League of Red Cross Societies, Geneva	11 Nov. 1950	Services of 9 medical teams each of 3 persons			5 teams made avail- able by Red Cross until 1 January 1952
		Tents, blankets, medical supplies, clothing			Supplied direct to the Korean Red Cross
	7 May 1952	Reconditioned cloth- ing, knitting wool	2,016	2,016	Arrived in Korean theatre
American Junior Red Cross	8 June 1951	Educational gift boxes	100,000		Arrived in Korean theatre
	27 July 1951	School chests	7,600		Arrived in Korean theatre
	2 Aug. 1951	Children's clothing	150,000		Arrived in Korean theatre
	5 Sept. 1951	Educational gift boxes	100,000		Part delivered in Korean theatre, balance under shipment
	7 May 1952	Duplicating machines	2,700		Arrived in Korean theatre
	1 July 1952	School chests and edu- cational gift boxes	<u>210,000</u>	570,300	Accepted by Unified Command
American Red Cross Society	2 Aug. 1951	Layettes and blankets	46,000	46,000	Arrived in Korean theatre
Australian Red Cross Society	31 July 1951	Medical supplies	970		Arrived in Korean theatre
	2 Aug. 1951	Used clothing	6,100		Arrived in Korean theatre
	11 Mar. 1952	Used clothing	2,000		Arrived in Korean theatre
	7 May 1952	Used clothing	6,720		Arrived in Korean theatre
	7 May 1952	Used clothing	<u>2,000</u>	17,790	Arrived in Korean theatre
British Red Cross Society	31 July 1951	Woollen clothing	8,400	8,400	Arrived in Korean theatre
Canadian Red Cross Society	7 May 1952	Knitting wool	2,240	2,240	Under shipment
Costa Rican Red Cross Society	3 Mar. 1951	Used clothing	1,761	1,761	Arrived in Korean theatre
Greek Red Cross Society	13 June 1951	Dried fruits	686	686	Arrived in Korean theatre
Indian Red Cross Society	13 June 1951	Mepacrine tablets	6,090		Arrived in Korean theatre
	15 Aug. 1951	Medical supplies	2,100	8,190	Part arrived in Ko- rean theatre, bal- ance stored in Ja- pan
Iranian Red Lion and Sun Society	31 July 1951	Blankets and clothing	3,900	3,900	Arrived in Korean theatre

Country	Date of offer	Details of offer	Value (\$ US equivalent)	Total	Status
Japan Red Cross Society	19 June 1951	Medical supplies, clothing and food	36,000		Part delivered Korean theatre, balance stored in Japan
	22 Jan. 1952	Medical supplies	25,000	61,000	Stored in Japan
New Zealand Red Cross Society	7 May 1952	Knitting wool and needles	194	194	Arrived in Korean theatre
Norwegian Red Cross Society	31 July 1951	Hospital supplies	5,640	5,640	Arrived in Korean theatre
Swedish Red Cross Society	2 Aug. 1951	Used clothing	90,000		Arrived in Korean theatre
	28 Feb. 1952	Used clothing	82,512	172,512	Arrived in Korean theatre
Turkish Red Crescent	10 Jan. 1951	Knitting wool and needles	898	898	Arrived in Korean; theatre
TOTAL				901,527	

FROM 15 SEPTEMBER 1952 TO 15 FEBRUARY 1953

Total received to 15 September 1952			901,527
Australian Red Cross Society	9 Oct. 1952	Used clothing, 95 cases	4,256
	9 Jan. 1953	Used clothing, 65 cases	2,912
TOTAL			7,168
TOTAL			908,695

SUMMARY

As at 15 September 1952

Summary	\$
Total part A—Member and Non-Member States	270,910,520
Total part B—Non-governmental organizations	15,033,659
Total part C—Specialized agencies	1,788,683
Total part D—League of Red Cross Societies	901,527
TOTAL	288,634,389

As at 15 February 1953

Total part A. Member and non-member States	339,139,759
Total part B. Non-governmental organizations	16,576,362
Total part C. Specialized agencies (unchanged from original report)	1,788,683
Total part D. League of Red Cross Societies	908,695
TOTAL	358,413,499

B. THE INDIA-PAKISTAN QUESTION

In his second report⁵⁴ to the Security Council (S/2448), submitted on 18 December 1951, Dr. Frank P. Graham, the United Nations Representative for India and Pakistan, outlined the stage reached in his efforts to secure the concurrence of the Governments of India and Pakistan on a twelve-point agreement which would involve demilitarization of the State of Jammu and Kashmir in a single continuous process. He reported that agreement had been reached on four more of the proposals but had still not been reached on proposals 5, 6, 7 and 10. The two fundamental differences remaining concerned: (1) the minimum number of forces to be left on each side of the cease-fire line at the end of the demilitarization; and (2) the day on which the Government of India would cause the Plebiscite Administrator to be formally appointed to office.

1. Consideration by the Security Council of the Second Report of the United Nations Representative

The Security Council considered the second report of the United Nations Representative at its 570th to 572nd meetings on 17, 30, and 31 January 1952.

Presenting his report to the Council, Dr. Graham stressed his belief that any negotiations that could be undertaken by the United Nations to obtain demilitarization of the State of Jammu and Kashmir under the resolutions of the United Nations Commission for India and Pakistan (UNCIP) of 13 August 1948 and 5 January 1949 would, in the prevailing circumstances, encounter almost insurmountable obstacles unless agreed solutions were found for:

(1) a definite period of demilitarization; (2) the scope of demilitarization and quantum of forces that would remain at the end of the period of demilitarization; and (3) the day for the formal induction into office of the Plebiscite Administrator.

The representative of the USSR declared that all the plans put forward by the United States and the United Kingdom in the Kashmir question, instead of seeking a real settlement, were aimed at prolonging the dispute and at converting Kashmir into a trust territory of the United States and the United Kingdom under the pretext of giving it "assistance through the United Nations". Their

intention, he said, was to introduce Anglo-American troops into Kashmir so as to convert it into an Anglo-American colony and a military and strategic base against the USSR and the People's Republic of China.

In support of his thesis, the USSR representative quoted Pakistan and United States newspapers, and statements allegedly made by a Pakistan journalist and by Mr. Ghulam Mohammad Sadiq, President of the Kashmir Constituent Assembly.

From the beginning, the United States and the United Kingdom, in direct violation of the Charter, particularly of Article 1, had done everything possible to prevent the people of Kashmir from being able to decide freely on their own future, he said. The resolution of 30 March 1951 (S/2017/Rev.1)⁵⁵, the USSR representative stated, forced upon the people of Kashmir a plebiscite ostensibly under the United Nations, but, in reality, under Anglo-American control; the original text of that resolution had contained an open demand that foreign troops should be introduced into Kashmir. The demand had been dropped in view of the Indian representative's objection, but that had merely been a formal gesture, and the idea had been taken up again by Dr. Graham, whose chief military adviser was an American general. Since the Council resolution defining the powers of the United Nations Representative contained no such authorization, it might be asked what justification Dr. Graham had had for submitting, without the knowledge of the Security Council, a question concerning the introduction of foreign troops into Kashmir in the questionnaires sent out to the Governments of India and Pakistan on 18 December 1951 (S/2448, Annex III). The USSR representative charged that the Governments of the United States and the United Kingdom had exerted direct pressure on the Governments of India and Pakistan, insisting on the adoption of their proposal for the submission of the Kashmir question to the arbitration of a third party, their purpose being to bring the people of Kashmir under their authority.

He stressed the opinion of his Government that the Kashmir question could be satisfactorily settled only by giving the people of Kashmir an

⁵⁴ See Y.U.N., 1951, pp. 348-49.

⁵⁵ For the text of the resolution, see Y.U.N., 1951, pp. 343-44.

opportunity to decide the question of its constitutional status by themselves, without outside interference. That could be achieved if the status of Kashmir were determined by a constituent assembly, democratically elected by the people of Kashmir.

The representatives of the United Kingdom and the United States considered that the charges made by the Soviet representative of an Anglo-American anti-Soviet plot in Kashmir were fantastic. The representative of the United Kingdom paid tribute to Dr. Graham's record in Indonesia, and expressed the hope that the Council, considering the Kashmir dispute objectively, would succeed in enabling the two parties to agree on a settlement satisfactory to both. The United States representative expressed the hope of his Government that the dispute would be settled in accordance with United Nations principles and the agreements already reached between the parties.

The representative of Pakistan said that there had never been any question of anything being imposed from the outside upon either party to the dispute. The efforts of the Security Council had been directed solely toward securing the implementation of the agreements existing between the parties. The current deadlock, which had lasted almost three years, related to the demilitarization of the State preparatory to the holding of a plebiscite and the induction into office of a Plebiscite Administrator. He reviewed the history of the negotiations and outlined Pakistan's position on the outstanding questions, and said that his Government would accept in principle the truce proposals formulated in Dr. Graham's second report but considered that some of the important terms used in the proposals should be defined and that other necessary details should be filled in. He denied that military bases in Kashmir had been granted to the United States or any other Power, and said that the difference between what the USSR representative had suggested and what the Security Council had sought to achieve with the agreement of the parties was one of method, not of principle. Throughout the controversy, India, Pakistan and the Security Council had agreed that the question of the accession of Jammu and Kashmir should be decided through the democratic method of a free and impartial plebiscite.

The representative of India emphasized his Government's anxiety that an early, equitable and peaceful solution of the dispute be found. The problems of a definite period for the demilitarization and of the date for the formal induction into office of the Plebiscite Administrator could, he said, be settled without difficulty provided that

agreement was reached on the scope of demilitarization and the quantum of forces that would remain at the end of the period of demilitarization, and provided that the programme agreed upon for that purpose was satisfactorily implemented.

The majority of representatives, including those of Brazil, Chile, France, Greece, the Netherlands, Turkey, the United Kingdom and the United States, paid tribute to the work of Dr. Graham and considered that he had succeeded in considerably narrowing down the differences between the two parties. They considered that Dr. Graham should return to the sub-continent to attempt to bring about a solution of the outstanding points of difference.

The representative of the United Kingdom expressed disappointment that the differences between the parties appeared to be as wide as ever on basic points but thought it a considerable gain to have the main points on which agreement was required formulated in Dr. Graham's twelve proposals, of which eight had been agreed to by the parties.

The United States, its representative said, considered that the twelve points formed a solid basis on which the parties could reach agreement so as to enable a fair and impartial plebiscite to be held. Progress had been made on some of these points and should not be halted; none of the remaining issues constituted an insurmountable barrier to a peaceful solution.

The Netherlands representative considered that the basic issue was the need of the people of Jammu and Kashmir for self-determination. As long as there was a reasonable chance of further agreement through negotiation, he felt, that method should be given priority over the arbitration called for in the Council's resolution of 30 March 1951 (S/2107/Rev.1). On the other hand, the patience shown by the Security Council should not be misconstrued as lightening in any way the moral and political responsibilities of the parties for the fulfilment of their commitments regarding the creation of fair conditions for a free and impartial plebiscite in Jammu and Kashmir.

At the conclusion of the discussion, the President stated that it was the sense of the Council that the United Nations Representative, acting under the resolutions of 30 March 1951 (S/2017/Rev.1) and 10 November 1951 (S/2392), was authorized, without any new decision by the Council, to continue his efforts to fulfil his mission and to submit his report, which the Council hoped would be final, within two months. He noted that the representative of the USSR had not concurred in that agreement.

2. Third Report of the United Nations Representative

On 22 April the United Nations Representative transmitted his third report (S/2611) to the Security Council. He stated that in his continued negotiations he had had in mind two purposes: (1) to assist the parties in removing the remaining difficulties in an effort to reach an agreement on the twelve proposals; and (2) without prejudice to this to obtain, if possible, further withdrawals from the State of Jammu and Kashmir on both sides of the cease-fire line.

He outlined the positions of the two parties on the remaining four items in dispute. He stated that India maintained its position concerning the minimum number of forces to be left on each side of the cease-fire line at the end of the period of demilitarization (namely, 21,000 regular Indian Army forces and 6,000 State militia on the Indian side and 4,000 men normally resident in Azad Kashmir territory, half of whom should be followers of Azad Kashmir, on the Pakistan side). India considered that if agreement could be reached on the scope of demilitarization and on the quantum of forces to remain at the end of the demilitarization period, the other two remaining differences (the period of demilitarization and the date for the induction into office of the Plebiscite Administrator) could be settled without difficulty.

Pakistan, Dr. Graham reported, had accepted the proposals of the United Nations Representative concerning the period of demilitarization, the quantum of forces to remain on each side of the cease-fire line and the date for induction into office of the Plebiscite Administrator. It insisted that the demilitarization programme should embrace all the armed forces in Jammu and Kashmir without exception.

The United Nations Representative also reported on the progress made in demilitarization. Since the cease fire of 1 January, he said, both India and Pakistan had made substantial withdrawals of their forces from Kashmir, which, including the current withdrawal of one Indian division, amounted to some 50 per cent of their forces from the States. Both parties had also withdrawn their forces along the borders of the State.

Analysing the two UNCIP resolutions of 13 August 1948 and 5 January 1949, he stated that the demilitarization of the State had reached the stage at which further reductions of troops were directly related to the preparation of a plebiscite. He accordingly considered it necessary that the Plebiscite Administrator designate should be asso-

ciated with him in studies and the consideration of common problems.

Dr. Graham emphasized the importance of finding a settlement for the question and recommended that negotiations be continued with a view to resolving the remaining differences on the twelve proposals, with special reference to the amount of forces to be left on each side of the cease-fire line at the end of the demilitarization period and the general implementation of the United Nations Commission's resolutions of August 1948 and January 1949. He also recommended that the two Governments should:

(1) refrain from taking any action which would augment the current military potential of the forces in the State; (2) continue their determination not to resort to force and to adhere to peaceful procedures and follow faithfully their agreement to instruct their official spokesmen and urge all their citizens not to make statements calculated to incite the people of either nation to war over Kashmir; (3) observe the cease fire effective from 1 January 1949, and the Karachi Agreement of 27 July 1949; and (4) undertake to reduce further by 15 July 1952, the forces under their control in the State of Jammu and Kashmir.

3. Fourth Report of the United Nations Representative

By letter dated 29 May 1952 (S/2649), the United Nations Representative informed the Security Council that negotiations had been renewed. On 31 July he stated (S/2727) that India and Pakistan had agreed to a meeting of representatives of the two Governments at ministerial level under the auspices of the United Nations Representative at the European office of the United Nations in Geneva, beginning 25 August 1952.

On 16 September Dr. Graham submitted his fourth report (S/2783) to the Security Council regarding the negotiations carried out in agreement with the two Governments from 29 May to 16 July 1952 in New York, and regarding the conference held at ministerial level from 26 August to 10 September 1952 in Geneva. He stated that, as a result of meetings and conversations with the parties, he had submitted a new draft of his proposals on 2 September, in which he suggested (paragraph 7 A (III) and B (II) of the proposals) a minimum force of 6,000 on the Pakistan side of the cease-fire line, and of 18,000 on the Indian side. He had made it clear that those figures did not include the Gilgit and Northern Scouts on the Pakistan side nor the State militia on the Indian side. In addition to suggesting definite minimum figures, he had attempted in a provisional clause to accommodate

the concern expressed during the conversations that the agreement should not come into effect until the demilitarization programme had been approved by the two Governments.⁵⁶

On 3 September it had appeared that no agreement could be secured on the basis either of the figures proposed or of the brackets of 3,000 to 6,000 on the Pakistan side and of 12,000 to 18,000 on the Indian side which had been proposed to the parties on 16 July 1952. As it had not been possible in the circumstances to secure agreement on the minimum forces to be left on each side of the cease-fire line, the United Nations Representative had thought it might be possible for the two Governments to agree on some principles based on the requirements of each side, which principles could then serve as the criteria for fixing the quantum of forces. He had accordingly submitted a further draft on 4 September 1952 according to which, at the end of the demilitarization period, there would be on each side of the cease-fire line the minimum number of forces required for the maintenance of law and order and of the cease-fire agreement, with due regard (in the case of the Indian side) to the security of the State and (in the case of both sides) to the freedom of the plebiscite.

Concerning that draft, he reported, the position of India was that the principles enumerated were conceived in the right spirit, having regard to the two UNCIP resolutions. As a basis for the evolution of a suitable definition of the functions of forces on both sides of the cease-fire line, they contained the germs of a settlement. India could not, however, accept any equation of its responsibilities with the local authorities on the Pakistan side of the cease-fire line or agree to anything more than a local character to the maintenance of public order in that area by those authorities. It considered that the defence of the entire State was the concern of the Government of India, which alone was entitled to maintain a military armed force for that purpose.

Pakistan had been prepared to accept the draft proposals of 4 September, subject to the observation that the references to "due regard to the freedom of the plebiscite" and the "security of the State" should be deleted to avoid recurrence in the Military Sub-Committee of the political controversies that had held up progress in the main conference.

In conclusion, Dr. Graham stated that, in his view, in order to reach an agreement on a plan of demilitarization, it was necessary either:

(1) to establish the character and number of forces to be left on each side of the cease-fire line at the end

of the period of demilitarization; or (2) to declare that the forces to remain on each side of the cease-fire line at the end of that period should be determined in accordance with the requirements of each area and, accordingly, principles or criteria should be established which would serve as guidance for the civil and military representatives of the Governments of India and Pakistan in the meeting contemplated in the provisional clause of the revised proposals.

4. Consideration by the Security Council of the Third and Fourth Reports

The third and fourth reports of the United Nations Representative were considered by the Security Council at its 605th to 611th meetings on 10 October, 5 November and 5, 8, 16 and 23 December.

Summarizing the main points of his report, the United Nations Representative dealt with the obstacles that had stood in the way of demilitarization and with his twelve proposals. The narrowing of the differences to the number and character of forces to remain on each side of the cease-fire line emphasized, he said, the depth of the difference on that point. Recalling the alternative approaches which he had suggested for resolving that difference, he stressed the great importance of solving the Kashmir problem peacefully, not only for the peoples of the State and of the sub-continent, but for the whole world.

On 5 November the representatives of the United Kingdom and the United States submitted a joint draft resolution (S/2839 and Corr. 1) which, *inter alia*, would have the Council urge the Governments of India and Pakistan to enter into immediate negotiations at United Nations Headquarters, 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, "this number to be between 3,000 and 6,000 armed forces remaining on the Pakistan side of the cease-fire line, and between 12,000 and 18,000 armed forces remaining on the India side of the cease-fire line", as suggested by the United Nations Representative. Such specific numbers were to be arrived at bearing in mind the principles or criteria contained in paragraph 7 of the United Nations Representative's proposals of 4 September 1952 (S/2783/Annex 8). The

⁵⁶ This clause provided that the agreement would enter into effect when the two Governments had approved a programme of demilitarization in conformity with the relevant paragraphs of the proposals. The draft of this programme was to be drawn up in meetings between the representatives of India and Pakistan assisted by their Military Advisers under the auspices of the United Nations, the first meeting to be held two weeks after signature of the agreement.

draft resolution provided that the United Nations Representative would be requested to continue to make his services available to the Governments of India and Pakistan, and those Governments would be requested to report to the Council not later than 30 days from the date of adoption of the resolution. Dr. Graham would also be requested to keep the Council informed of any progress.

Speaking in support of their draft resolution, the representatives of the United Kingdom and the United States emphasized the basic agreement of the parties on the objective of a free and impartial plebiscite as laid down in the two resolutions of the United Nations Commission for India and Pakistan (UNCIP) of 13 August 1948 and 5 January 1949. Examining the extent to which the United Nations Representative had been able to secure acceptance by the two Governments of the points contained in his twelve proposals, they maintained that the main difference to be resolved now was the one on the number and character of the forces to remain on each side of the cease-fire line. They recalled that the parties had agreed that the demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement.

This, they said, must have been the criterion that the United Nations Representative had in mind when he suggested the range of figures within which the parties were being urged, in the joint draft resolution, to negotiate. The representatives of the United Kingdom and the United States believed that the Kashmir militia and the Gilgit scouts occupied a special position and need not be included in the total of forces to be determined.

Regarding the character of the forces to remain on each side of the cease-fire line, the representative of the United Kingdom expressed the view that, in order to ensure that demilitarization would at no stage become a threat to the cease-fire agreement, the forces on both sides should be, broadly speaking, of the same kind. Moreover, he stated, the proposal to limit the forces on the Pakistan side of the cease-fire line to an armed civil police force while leaving a military force on the other side would not be consistent with a really free plebiscite.

Recalling the proposal put forward by the United Kingdom and the United States on 21 February 1951 (S/2017) that a neutral force might be used to facilitate demilitarization of the State, the representative of the United Kingdom suggested that, should the fear that demilitarization might lead to a renewal of the conflict in Kashmir still exist, whichever of

the parties felt that fear might be urged to reconsider the proposal to make available such a force. That device would of course not be necessary if demilitarization on the lines suggested by Dr. Graham and by the joint draft resolution could be brought about.

On the question of the Azad Kashmir forces, the representative of the United States referred to the suggestion made by the United Nations Representative that there should be a large-scale disbanding and disarmament of those forces so that there would remain at the end of the period of demilitarization only the minimum number of such forces as was required for the maintenance of law and order and of the cease-fire agreement, with due regard to the freedom of the plebiscite. He said that the sponsors of the draft resolution had accepted what they considered to be the view of the United Nations Representative that the forces which remained on the Pakistan side of the cease-fire line should be those Azad Kashmir forces which remained after the large-scale disbandment, and that these forces should be detached from the administrative and operational control of the Pakistan High Command and be placed under neutral and local officers under United Nations surveillance. The sponsors, he said, had also accepted the view, that, on the Indian side of the cease-fire line, the forces should be Indian armed forces and State armed forces. This position, he held, was entirely consistent with the resolution of the United Nations Commission of 13 August 1948.

The sponsors of the draft resolution considered that it offered the parties an opportunity to arrive, by their own negotiations, at a settlement of the final issue standing in the way of the demilitarization of the State and the planning for a plebiscite, including the induction into office of the Plebiscite Administrator.

The representative of India reviewed the circumstances in which the Kashmir dispute had been brought to the attention of the Security Council, stating that Pakistan had twice been guilty of aggression in Kashmir, once when it assisted and participated in the initial invasion and secondly on 8 May 1948 when it admittedly sent its regular troops there. Its illegal occupation of the State's territory continued. It had, moreover, created subversive forces and authorities there. Until the Council was prepared to face that central issue, no just and lasting solution could be found, the Indian representative stated.

In support of the thesis that Kashmir's accession to India was legal and had been recognized as such by the United Nations Commission for

India and Pakistan, she said that under the resolutions of that Commission, while India was required to withdraw only the bulk of its forces, Pakistan was to withdraw all its forces. Those resolutions, further, recognized the sovereignty of the Jammu and Kashmir Government over the entire State, including the areas invaded and occupied by the Pakistan forces. They also recognized India's constitutional responsibility for protecting the State against external aggression. Similar recognition had been contained in Dr. Graham's proposals of 16 July 1952, under which the forces to remain on the Pakistan side of the cease-fire line would be separated from the administrative and operational control of the Pakistan High Command, and would be officered by neutral and local officers under the surveillance of the United Nations, whereas on the Indian side there would be an Indian armed force. Dr. Graham's seventh proposal of 4 September 1952, which laid down that, in considering the final number of forces on the Indian side, due regard would be paid to the security of the State, also recognized India's moral and constitutional responsibility for the protection and security of the State. The Government of India, its representative said, was not prepared to abdicate that responsibility, or to share it with others, least of all with the aggressor.

She said that, considering the requirements of maintaining law and order as well as the overall security of the State, the Government of India had come to the conclusion that a minimum force of 28,000 would be required on the Indian side of the cease-fire line. However, when the Azad Kashmir forces were completely disbanded, the Government of India would be prepared to effect a further reduction of 7,000. The force of 21,000 which was the absolute minimum would include the former State forces and would have no supporting arms such as armour or artillery.

Referring to the United Kingdom representative's contention that the presence of troops on the Indian side with only a civil armed force on the Pakistan side would be inconsistent with a really free plebiscite, she said that this argument ignored not only the UNCIP resolutions but also the proximity of the Pakistan frontier and Pakistan forces which would be within striking distance of the cease-fire line and vital areas of the State. The administration of the Pakistan side of the cease-fire line by local authorities under United Nations surveillance had been accepted by India, but those local authorities had no international status and could not be entrusted with regular troops. They could, at best, be entrusted with a civil armed force of 4,000 which, she considered, would be adequate. India, however, would be will-

ing to permit some increase in those forces which would be operating under United Nations surveillance, provided a case was made out for such an increase.

Anything aimed at establishing a parity between India on the one hand and Pakistan on the other, either in quantum or character of forces, was, she stated, a departure from the two UNCIP resolutions and was unacceptable to India. In this connexion, she said that the joint draft resolution inadvertently or unjustifiably combined the essentially independent and alternative approaches envisaged by the United Nations Representative. The draft resolution proposed a single procedure, restricted in advance and leading to a predetermined result.

Moreover, the proposals of Dr. Graham of 16 July had also stipulated a radically different character for the forces on each side, a fact which the draft resolution overlooked. Under Dr. Graham's proposals, the forces on the Indian side were to remain under the complete control of the Government of India, whereas those on the other side were to be separated from the administrative and operational control of the Pakistan High Command and were to be officered by neutral and local officers—a difference which Pakistan had rejected.

The Government of India had therefore, she said, been forced to refer again to the essential difference in the status of the parties which had been totally disregarded in the draft resolution.

As for the reference to a so-called "neutral force", originally proposed by Pakistan, India had long since rejected the idea of the imposition of a foreign force on its territory as being derogatory to the dignity and territorial integrity of an independent nation.

Further, the reference to the principle that demilitarization should be carried out in such a way as to involve no threat to the cease-fire agreement was misleading, since the relevant paragraph of Dr. Graham's proposals, paragraph 8, had no bearing on the principles for determining the character and quantum of the forces; the figures suggested in the 16 July proposals were entirely arbitrary and unrelated to the normal considerations determining the minimum need for security. India was responsible for the security and protection of the State, and therefore any alternative for the figure it considered the absolute minimum must be justified on realistic considerations of security.

The view that the limits suggested by Dr. Graham represented his considered judgment was also misleading in view of the United Nations

Representative's definition, accepted by both parties, of his functions as those of a mediator whose duty was to find an approach acceptable to both Governments.

The Security Council had failed to address itself to the central and basic issue of aggression against India, Her Government, therefore must reject the joint draft resolution which, she maintained, went beyond the two resolutions of the United Nations Commission for India and Pakistan or ignored the vital elements of principle contained in these resolutions.

In reply, the representative of Pakistan maintained that the allegation of Pakistan's aggression against India was based on the false assumption that Kashmir was part of Indian territory and that the accession of that State to India was complete and valid. This, however, was belied by the position which the Council had repeatedly taken that the accession was to be decided by a free plebiscite—a position that both parties had accepted. The so-called accession had been made after the people of Kashmir had successfully revolted against the tyranny of the Maharaja and had put him to flight. The occupation of Kashmir by Indian troops had thus been an act of aggression against the people of Kashmir, he stated. As to the so-called second invasion of Kashmir by regular Pakistan troops, he said that Pakistan troops had been sent as a result of a general offensive by the Indian army. In the face of that offensive, the Commander-in-Chief of the Pakistan army had recommended that the Indian army should not be allowed to advance beyond a certain line for various reasons vital to Pakistan, including the disruption which would have been caused by a renewed influx of refugees. That action could not be termed aggression because the territory involved had never been under the control or military occupation of India, even as a result of the supposed accession. In any case, the question was academic in view of the acceptance by the two Governments of the two resolutions of the United Nations Commission.

The crux of the matter, as the representative of India had said, was the implementation of that agreement, he said, and pointed out that paragraph 1 of the UNCIP's resolution of 5 January 1949 had provided that the question of the accession would be decided "through the democratic method of a free and impartial plebiscite".

Those resolutions had not required the large-scale disbanding and disarming of the Azad Kashmir forces, he said. Yet India made this a condition precedent to any withdrawal of her forces. The two sides had agreed, under paragraph 8 of

Dr. Graham's proposals, that the demilitarization would be carried out in such a way as to involve no threat to the cease-fire agreement. Yet, according to India, there should be substantial military forces on its side of the cease-fire line and none at all on the other side. Would there not be a serious threat to the cease-fire line in that event, the representative of Pakistan asked. It was clear that a certain number of forces must remain on the Azad Kashmir side to maintain law and order and to maintain the cease-fire line.

The representative of Pakistan stated that Pakistan had repeatedly accepted proposed solutions which had been rejected by India. Despite the public support by India for submission of disputes to international arbitration, it had refused several proposals for such arbitration on the meaning of the obligation undertaken under the two UNCIP resolutions. It had rejected the Commonwealth Prime Ministers' proposal to make available Commonwealth troops to facilitate a plebiscite. India had rejected in all some fourteen different proposals for solution of the question which had been accepted by Pakistan.

If the course of the dispute proved anything, he said, it was that Pakistan was anxious to proceed to the holding of a plebiscite and that India was not. It was academic, therefore, to suggest that upon withdrawal of the bulk of India's forces from Kashmir, Pakistan would march in, destroying any possibility of a plebiscite's being held and inviting India to attack it from the rear and occupy it.

Dealing with the joint draft resolution, he submitted that, having regard to the agreements that existed and the needs on both sides, the numbers suggested were not fair to the Pakistan side of the cease-fire line. Would not the proposal set up an imbalance that would cause apprehension on one side that the cease-fire line might not be adhered to? Despite those considerations, Pakistan was prepared to go forward even on the basis of that resolution. Nevertheless, there were two matters in which the proposal did not appear to aim at achieving progress: (1) the parties were to seek out each other and go into conference; and (2) the parties were to report the results to the Council. The Council owed it to the United Nations Representative, to the parties to the dispute and to the people of Kashmir that the United Nations Representative should retain the initiative in the matter, that the conversations should take place under his auspices and that he should report to the Security Council.

In conclusion, the representative of Pakistan, noting that the representative of India had in-

icated India's view that a minimum force of 28,000 was required to carry out its responsibilities, proposed that the resolution of 13 August 1948 be implemented immediately on the basis that India would retain that number of forces on its side of the cease-fire line, including State armed forces, and without armour or artillery. On the Pakistan side, Pakistan would carry out the full obligations undertaken by it under that resolution. The Plebiscite Administrator would then take over and carry out the functions entrusted to him by the resolution of 5 January 1949.

In reply, the representative of India reiterated the view that Kashmir's accession to India was complete when the instrument of accession was signed. The Indian Governor-General's declaration that the question would be settled by a reference to the people was, she said, a wish unilaterally expressed by him which did not alter the fact or the validity of the accession. The reference was to have been made when the land was cleared of the invader. But the invader had remained and the reference to the people had been delayed.

It had been argued that the invasion of the State could not be regarded as aggression since it preceded accession, but, since Pakistan had then had a stand-still agreement with Kashmir, it had been aggression against that State and, after the accession, against India as well.

As to the second invasion by Pakistan, she maintained that Pakistan had exceeded the right of self-defence because there was no attack on its territory. In this connexion she referred to Article 51 of the Charter which stipulated that there must be an attack on the Member which takes defensive measures and that the measures it takes should be reported to the Security Council. None of the two requirements had been fulfilled at the time when Pakistan sent its troops into Kashmir.

She said that the Pakistan representative's attempt to claim merit for acceptance of various proposals and at the same time to discredit India for inability to concur was misleading. Pakistan had accepted and India rejected the Council's resolution of 21 April 1948. But that had been followed by Pakistan's invasion of the State, on the one hand, and by India's co-operation and negotiation with UNCIP, on the other, despite the grave provocation offered by Pakistan's acts. Again, Pakistan had accepted Dr. Graham's proposals of 16 July 1952. But Pakistan's acceptance was subject to the condition that the character of the forces should be the same on both sides of the cease-fire line, a condition that had nullified that acceptance. In the same way, Pakistan had nullified its ac-

ceptance of Dr. Graham's proposals of 4 September 1952 by refusing to accept India's responsibility for the security of the State. India had considered that those proposals contained the germ of a settlement.

Dealing with Pakistan's offer agreeing to the retention of 28,000 Indian troops, the representative of India said that the Azad Kashmir forces were indistinguishable from regular Pakistan troops. Since the resolution of the Commission of August 1948 envisaged the withdrawal of all Pakistan forces, it must apply to all armed formations including Azad troops, Gilgit scouts and others. Moreover, the Plebiscite Administrator was only responsible for the disposition, i.e. the location of the Indian forces, not for any reduction in their number; they could not be reduced below the minimum necessary for maintaining law and order.

In a further reply, the representative of Pakistan recalled that he had already pointed out, on the issue of accession, that India's position had been that, on independence, the sovereignty of the States rested in the people, and he had stressed the fact that, long before the alleged accession, there had been a difference between the Maharajah and his people which had reached the point of revolt. Even if the Azad forces were now under the control of the Pakistan army such control would cease when the Pakistan army withdrew. The question of the disbandment and disarming of the Azad forces, however, would rise when the Plebiscite Administrator took over. It could not be argued that the people of the State, who had taken up arms in August 1947, were invaders who had to withdraw. What was delaying progress in organizing and holding the plebiscite was the refusal of India to withdraw its forces in accordance with the two UNCIP resolutions that it had accepted. Nowhere in those resolutions was the security of the State made the sole responsibility of India. The reference to "due regard to the security of the State" dealt with the functions of the United Nations Representative, succeeding the Commission, and the Plebiscite Administrator, who, after the withdrawal of the bulk of the Indian forces and after the Representative was satisfied that peaceful conditions had been restored, were to determine, in consultation with the Government of India, the final disposal—not disposition—of Indian and State armed forces. His Government, he said, agreed that there should be no departure from the two resolutions of the Commission. But India asked for a great deal more which was not provided for by those resolutions or which was not provided for during the stages at which India required it.

In reply to the representative of India, the representative of the United Kingdom stated that he did not see any inconsistency between the joint draft resolution and the two agreed UNCIP resolutions. Analysing the provisions of the joint draft resolution from that point of view, he noted that it had been accepted by both parties that the provisions of the two UNCIP resolutions should be combined so as to produce one continuous demilitarization process. The only extra element which had been introduced into Dr. Graham's proposals of 4 September, and consequently into the joint draft resolution, was that the number of forces should be determined with due regard to the maintenance of the cease-fire agreement. But that did no more than reflect the agreement already reached in paragraph 8 of Dr. Graham's proposal that demilitarization would be carried out in such a way as to involve no threat to the cease-fire agreement.

The two alternative approaches mentioned by Dr. Graham had been combined in the joint draft resolution only after the most careful thought. The United Kingdom Government thought it wise to avoid the possibility that one of the parties might choose to negotiate in accordance with one of the alternatives and the other party in accordance with the other. As for the question whether the United Nations Representative was competent to assess the strength of military forces to be left behind in the State at the end of the demilitarization process, the resolution of 5 January 1949 made it clear that the Representative, as the successor of the Commission, together with the Plebiscite Administrator, would be responsible for determining the final disposal of the armed forces, in consultation with the Government of India, such disposal to be "with due regard to the security of the State and the freedom of the plebiscite". The freedom of the plebiscite and the security of the State were both matters to which considerable weight must be attached and in regard to which some kind of balance might have to be struck.

The representative of the United States concurred with the view expressed by the United Kingdom representative.

Reiterating the views expressed by him in January (see above), the representative of the USSR said that Dr. Graham's reports, like the documents submitted earlier, showed the futility of attempts to seek agreement on the demilitarization of Jammu and Kashmir and on the holding of a plebiscite there under United Nations auspices. The United States and the United Kingdom, he said, had for five years done all in their power to protract a settlement of the question.

These two countries were intervening in the internal affairs of Kashmir with a view to transforming that territory into a strategic base against the Soviet Union. He quoted a statement in which Admiral Radford, the Commander-in-Chief of the United States Fleet in the Pacific, had stressed the strategic importance of Pakistan. He said that, despite India's refusal to allow a United Nations force, Dr. Graham had returned to that proposal in his last report when the proposal took the form of operational and administrative control of Azad Kashmir troops by the United Nations through local or neutral officers. Like all earlier resolutions on the question, the joint draft resolution, he said, excluded any possibility of a decision by the people of Kashmir themselves without outside pressure or interference. The correct way to solve the question would be to have the status of Kashmir determined by a constituent assembly elected by the people of the State on a democratic basis, in accordance with their right to self-determination.

In reply to the charge that the United States and the United Kingdom were trying to establish an aggressive base in Kashmir, the United Kingdom representative stated it was obvious that such a proposal would be completely opposed to the known policies of both India and Pakistan. It would always be open, he said, to the USSR to oppose a recommendation by the Council for a neutral force in Kashmir, should such a recommendation be made. But he did not see what the USSR could do should the parties agree to some such proposal.

The representative of the Netherlands considered that the presence of a considerable number of forces in the State would, admittedly, not create or facilitate conditions for a fair and impartial plebiscite. There must therefore be the greatest possible demilitarization and a reasonable proportion between the military forces on either side of the cease-fire line. He supported the joint draft resolution because it seemed likely to promote an agreement on that basis and was a fair proposal. The representative of Brazil also supported the joint draft. He found it hard to believe that two nations with so many ties and so much in common would be unable peacefully to settle their differences. A new effort should be made to that end. The representative of China observed that no member of the Council, apart from the parties, had ever discussed the charges of aggression. Instead, the Council had accepted the basic agreement of the parties that the question of the accession of the State should be decided by a fair and impartial plebiscite under the auspices of the United Nations. He hoped that the joint proposal

might serve as a basis for the renewal of successful negotiations.

The representatives of the United Kingdom and the United States accepted a Netherlands amendment (S/2881) to the joint draft resolution providing that the negotiations would be under the auspices of the United Nations Representative and deleting the reference to their being held at the Headquarters of the United Nations.

The representative of India pointed out that his Government had already stated that it was unable to accept the joint draft resolution. It was not prepared to be a party to any talks on the basis suggested in paragraph 7 of that proposal. With those explicit reservations, however, the Government of India, in line with its readiness to explore all avenues toward a peaceful settlement, would be prepared to join and continue in any talks in connexion with the dispute. If the Council still considered it useful or necessary to proceed with the draft resolution, his Government could only profoundly regret the decision.

As amended, the joint draft resolution (S/2883) was adopted by 9 votes to none, with 1 abstention (USSR). Pakistan did not participate in the voting.

The resolution read:

"The Security Council

"Recalling its resolutions of 30 March 1951, 30 April 1951, and 10 November 1951;

"further recalling the provisions of the United Nations Commission for India and Pakistan resolutions of 13 August 1948 and 5 January 1949 which were accepted by the Governments of India and Pakistan and which provided that the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and

impartial plebiscite conducted under the auspices of the United Nations;

"Having received the Third Report dated 22 April 1952 and the Fourth Report dated 16 September 1952 of the United Nations Representative for India and Pakistan;

"Endorses the general principles on which the United Nations Representative has sought to bring about agreement between the Governments of India and Pakistan;

"Notes with gratification that the United Nations Representative has reported that the Governments of India and Pakistan have accepted all but two of the paragraphs of his twelve point proposals;

"Notes that agreement on a plan of demilitarization of the State of Jammu and Kashmir has not been reached because the Governments of India and Pakistan have not agreed on the whole of paragraph 7 of the twelve point proposals;

"Urges the Governments of India and Pakistan to enter into immediate negotiations under the auspices of the United Nations Representative for India and Pakistan 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, this number to be between 3,000 and 6,000 armed forces remaining on the Pakistan side of the cease fire line and between 12,000 and 18,000 armed forces remaining on the India side of the cease fire line, as suggested by the United Nations Representative in his proposals of 16 July 1952 (Annex III of S/2783) such specific numbers to be arrived at bearing in mind the principles of criteria contained in paragraph 7 of the United Nations Representative's proposal of 4 September 1952 (Annex VIII of S/2783);

"Records its gratitude to the United Nations Representative for India and Pakistan for the great efforts which he has made to achieve a settlement and requests him to continue to make his services available to the Governments of India and Pakistan to this end;

"Requests the Governments of India and Pakistan to report to the Secretary Council not later than thirty days from the date of the adoption of this resolution; and further requests the United Nations Representative for India and Pakistan to keep the Security Council informed of any progress."

C. THE PALESTINE QUESTION

1. Complaints of Jordan and Israel to the Security Council

In a cablegram to the Secretary-General dated 22 January 1952 (S/2486) the Prime Minister and Minister for Foreign Affairs of Jordan complained of increasing Jewish acts of aggression against life and property inside Jordan territory in violation of the Jordan-Israel Armistice Agreement. Since these provocations might result in retaliation, the Prime Minister requested the Secretary-General to bring the contents of the cablegram to the attention of the Security Council to enable it to take measures necessary to stop further aggression.

In reply, in a letter dated 29 January 1952 (S/2502) addressed to the President of the Security Council, the representative of Israel stated that the Israel-Jordan Mixed Armistice Commission had, on 24 January 1952, determined that Jordan had been responsible for 59 violations of the Armistice Agreement and Israel for one such violation. These results revealed the distorted and inaccurate character of the Jordanian communication, the letter said.

In the same communication, the representative of Israel complained against a threatening statement made by Ahmed Shukairy, the Syrian representative, before the Ad Hoc Political Committee on 22 January 1952. This statement, it was charged,

constituted a violation of Article 2, paragraph 4, of the Charter, as well as of articles III, paragraph 3, and IV, paragraph 3, of the Israel-Syrian General Armistice Agreement. The representative of Israel stated that his Government would resist any unauthorized passage across the Armistice lines and would reserve its right, under Article 35 of the Charter, to request meetings of the Security Council to consider and pass judgment on statements containing a threat of force against Israel.

In another letter (S/2762), dated 2 September 1952, the representative of Israel drew the Council's attention to pronouncements made by Colonel Shishakly, Chief of Staff of the Syrian Army and Deputy Prime Minister, on 15 and 16 August 1952, which, it was alleged, contained threats against the territorial integrity and independence of Israel in violation of the Charter and of the General Armistice Agreement of 20 July 1949 between Syria and Israel, wherein the signatories had undertaken to abstain, not only from the use of force, but also from the threat of force against each other.

2. Report of the Chief of Staff of the Truce Supervision Organization on the Work of the Mixed Armistice Commissions

On 30 October 1952 the Chief of Staff of the Truce Supervision Organization submitted a report, (S/2833 and Add.1) covering the period from 1 November 1951 to 30 October 1952, on the work of the Mixed Armistice Commissions.

The report stated that the Egyptian-Israel Mixed Armistice Commission had received a total of 429 complaints alleging violations of the Egyptian-Israel General Armistice Agreement; 246 by Israel and 183 by Egypt. Nearly all the complaints alleged violations of the Agreement committed in the proximity of the Armistice demarcation line delimiting the Egyptian-controlled territory known as the "Gaza strip".

At an emergency meeting of the Commission held on 4 May 1952, the question of ways of improving the general situation along the Armistice demarcation line was discussed and an understanding was concluded on the principle of reinstating mixed patrols along this line.

At the 49th formal meeting, which was held in two sessions on 26 August and 9 September 1952, it was agreed unanimously that all complaints on the agenda, which had totalled 324, were "to be considered as acted upon by the Mixed Armistice Commission and to be filed".

An informal agreement was also concluded to the effect that no further complaints would be brought before the Mixed Armistice Commission by either party and that direct and frequent contacts between representatives of both sides would be established.

The Jordan-Israel Mixed Armistice Commission had, during the period, received 506 complaints alleging military activity along the demarcation line, including crossing of the line by patrols, flying over the line and various violations involving civilians crossing the line. The numerous instances of civilian infiltration for smuggling, thefts or other purposes had presented a serious problem in the relations between the parties. Clashes between Israel frontier guards or patrols and armed Arab groups had occurred frequently, and were in some cases followed by retaliatory raids by Israelis into Jordan-controlled territory.

On 30 January 1952 an agreement on measures to curb infiltration and unauthorized crossing of the demarcation line by civilians was concluded by representatives of the two parties. Detailed procedures were worked out to implement this agreement, the most effective of which, it was stated, were the weekly or semi-weekly conferences of local commanders representing both military and police agencies which were usually attended by United Nations observers. These procedures, the report said, had been responsible for a significant drop in both the number and seriousness of cases of infiltration, border crossings and smuggling.

Another cause of frequent incidents along the demarcation line was reported to be the cultivation of land by residents of one party in the territory controlled by the other in no-man's land. Arrangements were made for joint surveying teams, accompanied by United Nations observers, to determine the exact location of the demarcation line in certain difficult areas. Nevertheless, several incidents had occurred in which a number of Israelis and Jordanians were either severely wounded or lost their lives. These events led the Mixed Armistice Commission to take various decisions condemning Jordan and Israel. Finally, the parties agreed to mark the demarcation line in important sectors by a plough furrow in an effort to prevent further misunderstandings in that area. The Commission also decided to call upon the Israel authorities to take measures to prevent unauthorized crossing of the demarcation line by civilians.

During the latter part of the period, the report stated, two major incidents interfered with the normal functioning of the Mixed Armistice Commission. The first was on 20 June 1952 when armed Israel military police entered and remained in the offices of the Commission in order to pre-

vent the United Nations observers from carrying out the inspection of a barrel which had been taken from the fortnightly supply convoy to the Israel personnel on Mount Scopus. The Jordan delegation refused to use the headquarters of the Commission so long as Israel military police remained there. For nearly three months the few meetings held by the Commission took place in the open air and only on 17 September was agreement reached on the use of a new headquarters building. Later, the functioning of the Commission was interrupted when the Israel delegation refused to attend its meetings as long as the Jordan authorities refused to return two Israel soldiers captured on 9 June 1952 by a Jordanian patrol within Jordan-controlled territory. An agreement was, however, reached on this question on 17 September.

The last part of the report concerned the demilitarized area of Mount Scopus. It reiterated that the special committee, provided for by article VIII of the Israel-Jordan General Armistice Agreement had not yet met on account of Jordan's refusal, and that the Chief of Staff of the Truce Supervision Organization continued to administer on behalf of the United Nations the Agreement of 7 July 1948 for the demilitarization of the area.

The Israel-Lebanese Mixed Armistice Commission, the report stated, had held 25 formal meetings from 1 November 1951 to 15 October 1952. It had also held two meetings on Chief-of-Staff level and a number of unofficial or special meetings. In addition, there were frequent meetings of the Sub-Committee for Border Incidents and of the Sub-Committee for Staking of the Border. The Commission's main activities concerned the question of marking the Armistice demarcation line, the seizure of property by both parties, the reunion of separated families and the alleged flying over the demarcation line.

During the period the Israel-Syrian Mixed Armistice Commission had held four emergency meetings to discuss serious incidents which had occurred. No other formal meetings of the Commission were held and, as of 15 September 1952, 112 complaints were pending before it. The failure of the Commission to meet regularly in formal sessions was due to the conflicting attitudes regarding the status of the demilitarized zone and the interpretation of the provisions of article V of the Israel-Syrian General Armistice Agreement.

The report also gave an account of the Chief of Staff's efforts to implement the Security Council's resolution (S/2126) of 18 May 1951.⁵⁷ It described the circumstances in which some of the Arab inhabitants had returned to their former

homes, in accordance with that resolution, and explained why others had not. Israel, it was reported, had agreed to pay compensation for the demolished Arab homes in one village, but had not, so far as was known, indicated willingness to pay compensation in other cases.

With the exception of three villages, almost the entire demilitarized zone was controlled by Israel police acting under orders from police headquarters outside the zone. The Chairman of the Commission had maintained that the provisions of article V of the Armistice Agreement and the explanatory note of Dr. Bunche, quoted in the Security Council's resolution of 18 May 1951, called for police of a local character within the demilitarized zone. Israel, however, had not agreed to remove its non-local police from the zone and no arrangement had been reached.

Referring to the activities of the Palestine Land Development Company, the report stated that its work would result in a considerable loss of water to the irrigation in Syrian territory. The report stated that no solution agreeable to both parties had been reached on this matter.

3. The United Nations Conciliation Commission for Palestine

a. PROGRESS REPORTS OF THE COMMISSION

Pursuant to General Assembly resolution 512 (VI)⁵⁸ of 26 January 1952 which called for periodic progress reports, the United Nations Conciliation Commission for Palestine submitted its eleventh and twelfth progress reports (A/2121 and A/2216), with a supplement (A/2216/Add. 1). These reports covered the period from 19 November 1951 to 24 November 1952.

In its eleventh progress report (A/2121), dated 2 May 1952 and covering the period from 19 November 1951 to 30 April 1952, the Commission stated that in April 1952 it had decided to continue to meet at Headquarters in New York, where contact with the parties was possible through the permanent delegations. It had also decided that the most promising way of assisting the parties would be by further efforts to solve the questions of (1) compensation for the Palestine refugees and (2) the release of bank accounts blocked in Israel. As regards the first problem, the Commission considered the reaffirmation by the delegation of Israel of its intention to compensate those Arabs who abandoned their property in

⁵⁷ See Y.U.N. 1951, pp. 290-91.

⁵⁸ See Y.U.N., 1951, p. 309.

Israel and instructed the land specialist of its Refugee Office to conduct negotiations with the Israel authorities and to make periodic reports on the progress of his activities. With regard to the second problem, it decided to resume discussions with the delegation of Israel in order to ascertain the position of its Government on the question and to consider what further steps should be taken towards the release of the blocked accounts.

In its twelfth progress report (A/2216), dated 8 October 1952 and covering the period from 1 May 1952 to 7 October 1952, the Commission stated that, following negotiations conducted through the United States member of the Commission, the representative of Israel had expressed his Government's willingness to discuss measures for the gradual release of those accounts. Subsequently, the Commission was informed that the Israel Government was willing to release the amount of one million Israel pounds, to be transferred at the rate of one Israel pound to one pound sterling. The Israel delegation agreed with the Commission's suggestion that precedence should be given to the holders of small private accounts who were in particular distress. The Commission expressed the hope that the transfer of securities and other valuables belonging to refugees and held in banks in Israel would be carried out without delay. The Israel Government expressed its readiness to release and transfer the contents to the owners in accordance with the provisions of the laws of Israel. The Commission stated that the United Kingdom Government had acceded to its request to use its good offices to initiate discussions between representatives of Israel and Barclay's Bank.

The Commission decided, following its land specialist's discussions with the Israel authorities and the interested Arab circles, that the work of assessing potential claims for compensation should be started without delay. In its opinion, the first step in identifying and evaluating individual Arab property holdings should be the examination of the Land Registers of the former mandatory administration pertaining to territory within the State of Israel, as well as the study of the Rural Tax Distribution Lists and the Urban Field Valuation Sheets prepared by the mandatory administration and now in the hands of the Government of Israel. Microfilm copies of the majority of the Land Registers required were secured from the United Kingdom Government and the Government of Israel had agreed in principle to make available the necessary documentation in its possession. The land specialist was instructed to set up in New York the necessary machinery for extracting from these documents the information desired.

The Commission reported that it had informed the parties concerned of its decision to meet at United Nations Headquarters, and had added that it was prepared to meet at its Jerusalem headquarters and elsewhere if and when there was a recognized need for such meetings. It had received a reply only from Yemen and an acknowledgment from Jordan but no replies from the five other Arab States or from Israel. The Commission therefore concluded that there had been no change in the parties' attitude towards its efforts and that it would be fruitless for it to attempt to undertake again any of its procedures. However, in view of its successful intervention in the matter of blocked accounts, the Commission believed that further progress could be made by concentrating in a constructive way on individual issues and thus reducing the area of disagreement. It expressed the hope that such an approach would also help in securing compensation. In a supplement to its twelfth progress report (A/2216/Add.1), dated 24 November 1952 and covering the period from 8 October to 24 November 1952, the Commission said that, as a result of negotiations between representatives of the Government of Israel and of Barclay's Bank, a general agreement had been reached on the outline of the scheme to be submitted to the Government of Israel for its approval. It was expected that the first instalment would effect the rapid liquidation of small accounts, which constituted the great majority within the framework of existing Israel Law, without the need for special legislation.

On the question of compensation the Commission stated that its land specialist and two assistants were currently engaged in compiling from the Palestine Land Registers the necessary information regarding ownership, area, description and value of the great number of parcels of land involved. It concluded that the value of each individual holding could be estimated with reasonable accuracy from the information contained in the Land Registers, supplemented by information to be obtained subsequently from the taxation records of the former mandatory administration.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

By a letter dated 12 September 1952 (A/2184), the permanent representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen requested the inclusion in the agenda of the seventh session of the General Assembly of the item "The Conciliation Commission for Palestine and its work in the light of the resolutions of the United

Nations". The explanatory memorandum accompanying the letter stated that the United Nations had not fulfilled the responsibility for the Palestine question which it had assumed in 1947 since none of its relevant resolutions had as yet been implemented. It suggested that the objective in considering the item should be to obtain a broad view of the activity of the United Nations Conciliation Commission for Palestine in the light of those resolutions and the appropriate measures and machinery for giving effect to them.

The General Assembly decided to include the question in its agenda and to refer it to the Ad Hoc Political Committee, which considered it at its 25th to 39th meetings from 25 November to 11 December.

At the meeting of 25 November the Committee rejected by 14 votes to 13, with 20 abstentions, a motion of the representative of Iraq to invite Dr. Izzat Tannous, the representative of the Arab refugees of Palestine, to sit with the Committee during the discussion of the item. On 1 December a communication by Dr. Tannous was circulated as a Committee document (A/AC.61/L.24) at the request of the representative of Iraq. At the invitation of the Chairman and with the consent of the Committee, a statement was made by the representative of Jordan on 5 December. The statement expressed the same views as those put forward by the representatives of the other Arab States (see below).

(1) Discussions in the Ad Hoc Political Committee

At the outset of the discussion, the representative of Mexico, invoking an earlier request of the Chairman for moderation and sobriety in the debate, appealed to both the Arab States and Israel to discuss their problems in a conciliatory and moderate spirit. Subsequently, a number of representatives, including the Chairman of the Conciliation Commission, associated themselves with the Mexican appeal.

At the request of the Ad Hoc Political Committee, the Chairman of the Conciliation Commission for Palestine made a statement in which he reviewed the Commission's most recent efforts to reconcile the positions of Israel and the Arab States at the Paris Conference in 1951. He recalled that, after the failure of that Conference, the General Assembly in its resolution 512 (VI)⁵⁹ of 26 January 1952 had urged the parties to seek agreement and had requested the Commission to continue its efforts and to remain available to the parties. Since no request for assistance had come from either party, the Commission believed that the atmosphere was unfavourable

to extensive negotiations and that ill-considered activities on its part might have done more harm than good. The Chairman explained that the Commission had endeavoured to find a new approach to the problems involved and had directed its attention to the more limited technical issues, such as payment of compensation and the release of bank accounts. In studying a possible basis for payment of compensation to Arab refugees, the Commission had no intention of prejudging any final solution of the problem of returning those refugees to their homes and restoring their property. Concerning the release of bank accounts, he said that Israel's agreement to unfreeze a first instalment of 1 million pounds sterling would assure compensation to over 5,000 of approximately 6,000 holders of bank accounts. He concluded that the results achieved by the Commission might appear negligible when viewed against the background of the issues arising in connexion with Palestine problems, yet they might well facilitate the restoration of normal relations between the parties.

(a) VIEWS OF THE REPRESENTATIVES OF THE ARAB STATES

In their statements the representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen recalled that under Assembly resolution 194(III) of 11 December 1948 the United Nations Conciliation Commission for Palestine had been given both general directives and specific duties. According to the general directives, it was to assist the parties concerned to reach an early settlement of their differences in accordance with the relevant General Assembly resolutions. Its specific tasks had been directed to solutions of three aspects of the problem: (1) Jerusalem was to be placed under effective United Nations supervision; (2) the refugees wishing to return to their homes were to be permitted to do so at the earliest practicable date and compensation was to be paid for the property of those choosing not to return; and (3) positive measures were to be taken with regard to the Holy Places. The Commission had been in existence for over four years, but its work, with which the Arab countries had from the beginning co-operated to the fullest extent, had as yet produced very little result. As early as 1949 it had become clear that the solution of the problem depended on the settlement of the refugee question, and only if that question were settled on a just and lasting basis could peace and stability return to the Middle East. Representatives of the Arab countries had accepted

⁵⁹ See Y.U.N., 1951, p. 309.

invitations from the Commission to attend conferences in Beirut, Lausanne, New York, Geneva and Paris. On every occasion, they had emphasized the need for allowing the Arab refugees to return to their homes and for providing compensation to those not wishing to do so. It was most regrettable that the Commission should have been unable to accomplish its task. It had been difficult for it to achieve positive results in view of Israel's refusal to comply with the General Assembly's resolutions, but at least it could have been expected to make a sincere effort and, in case of failure, to state the reasons for that failure clearly and precisely.

The Commission, the representatives of the Arab States charged, had attempted to ignore previous United Nations decisions on the subject and had improperly assumed the right of interpreting its own terms of reference to suit the situation prevailing in Palestine. But the resolution of 11 December 1948 did not contain recommendations but had entrusted the Commission with carrying out the Assembly's decisions. They contended that the Commission had been partial to Israel. Whenever Israel's interests were at stake or there was some possibility of consolidating Israel's position, the Commission had found support for that position in the Assembly's resolutions. On the other hand, it had tended to belittle the Arab interests which had been guaranteed in the very same resolutions. It was attempting, for example, to re-establish communications and economic relations between Israel and its Arab neighbours. But that objective could not be secured as long as a million Arab refugees were denied their rights and the Israel Government continued to pursue an aggressive policy in defiance of United Nations resolutions.

The Arab refugees, the Arab representatives said, were animated by a genuine determination to return to their homes and would accept no alternative solution. Since Jewish immigration had virtually stopped and large numbers of Jews were leaving Israel, there could be no justification for barring Arab refugees from returning to their homes. In order further to relieve existing pressures, other countries of the international community could attract Israel immigrants and thus contribute indirectly to the repatriation of the refugees. That suggestion should not be construed as an incitement to Israel Jews to emigrate; it merely reflected the real situation. Israel had sought in vain to make a case for the impracticability of repatriating the Arab refugees; it had tried to divert attention from its obligations by raising such irrelevant considerations as

responsibility for the refugees' plight, the capacity of the Arab States to absorb their kinsmen and the example set by Israel in receiving thousands of Jewish immigrants. The refugee question was purely humanitarian; it involved individual rights on which the question of responsibility had no bearing. The argument that the Arab States had the means to resettle the refugees with whom they had cultural ties was equally absurd, especially since Israel itself had admitted that Lebanon and Egypt, for example, had a greater population density than Israel. Further, the analogy drawn between the Arabs of Palestine who had been forced into exile and degradation and the Jews who had left the Arab States to settle in Israel was fallacious. The security of Israel had likewise been invoked in support of the argument that the repatriation and rehabilitation of the Arab refugees was impracticable. That reason was incompatible with Israel's appeal for peace and could only serve to perpetuate mistrust of Israel's motives. Against the argument that the Arabs of Palestine had a separate economy, a different language and culture and would therefore create a minority problem, it must be borne in mind that they had always lived in Palestine and the late President Weizmann had affirmed that there was room for both Jews and Arabs to live without fear in his country. Thus the contention that it would be impracticable to repatriate the refugees was totally unfounded and intended to becloud the fact that Israel was refusing to recognize the elementary principles of justice and was defying the Assembly's resolution of 11 December 1948.

As for the territorial question, the representatives of the Arab States argued that it had been provided that this question was to be settled by negotiations on the basis of the General Assembly's resolutions, and the Commission had been instructed to provide its services of mediation and conciliation to that end. Both parties to the dispute had signed on 12 May 1949, at Lausanne, a protocol which the Commission had very properly proposed as the basis for its work. This protocol had taken the partition map of 1947 as a basis for discussions between the parties and the Commission. No sooner, however, had Israel signed the protocol than it proceeded to obstruct the work of the Commission. It had insisted on combining all the issues of the problem and delaying the solution of any one of them until a final settlement had been reached on all.

Under the Armistice Agreement Israel controlled 5,000 square miles beyond the area allotted to it under the partition plan. If Israel wished

to be reasonable it would allow the refugees to return to that area, thereby enabling half a million refugees to be repatriated. In view of the express refusal of Israel, it was difficult to see how direct negotiations could succeed when Israel refused to consider the cession of territory that had not been assigned to it by the Assembly resolution.

As regards compensation, the Commission had proposed that the Israel Government should make good its pledge to pay compensation for property belonging to non-repatriated Arab refugees. However, the sum to be paid was to be linked to Israel's financial capacity. The Arab States had made considerable reservations on that aspect of the proposal. The Arab representatives agreed that the right of the refugees to compensation had been guaranteed by the Assembly's 1948 resolution; it was an individual right which could not be restricted. Israel had recognized its obligation to honour that right; failure to do so was tantamount to confiscation of Arab property. The financial difficulties in which the Israel Government found itself as a result of its policy of mass immigration, despite United States financial aid, could not be invoked as a pretext for delaying full compensation or subordinating it to any conditions whatsoever.

With regard to the question of blocked accounts, it was recalled that, since the last General Assembly resolution (512(VI)), the Commission had dealt almost exclusively with the question of the release of blocked accounts of Palestine Arabs from Israel banks. Thus it was inverting the logical order for dealing with the refugee problem. The first and primary right of the refugees to repatriation continued to be disregarded, while the very complex question of compensation, which affected only those who did not wish to return to their homes, seemed to have priority. Compensation should become a primary question only after repatriation had been completed. Moreover, the sum released by the Israel Government represented a very small amount in relation to the total value of the blocked accounts. Israel should free all accounts as speedily as possible; any temporizing on that matter by the Commission would be an admission of its helplessness.

As for the internationalization of Jerusalem and its Holy Places, the Commission had been unable to implement the Assembly's decisions. Not only could it not secure the acceptance of the internationalization principle by Israel, but the latter still occupied part of Jerusalem, in defiance of the Assembly's resolutions, and the Prime Minister of Israel had even declared offi-

cially that Jerusalem was and would always remain the capital of Israel.

(b) VIEWS OF THE REPRESENTATIVE OF ISRAEL

The representative of Israel stated that the representatives of the Arab States appeared to be seeking not so much a constructive and just solution of the problem as a scapegoat for the difficulties which prevented a solution. They had been more concerned with the interpretation and binding force to be attributed to documents than with the current situation and the future of the Near East. Nevertheless, his Government thought the time was ripe for the consideration of a peaceful settlement based on neighbourly relations between Israel and its Arab neighbours.

The problem was to transform into stable treaties the armistice agreements Israel had concluded with Egypt, Jordan, Lebanon and Syria. Israel was prepared to negotiate a final settlement for the establishment of peaceful relations with any of those States. It would neither impose nor accept any preconditions for such negotiations, in which each party should be free to make its own proposals and United Nations machinery or other good offices should be used by mutual consent.

As to the question of the peace settlement and related problems, he stated that it was the primary responsibility of the Government of Israel and the Governments of the Arab States to settle their differences by negotiation. Experience had shown that mediating and conciliating agencies could not substantially influence inter-State relations unless the parties entered into free negotiations. The Conciliation Commission itself in its report of 1950 had acknowledged the need for such negotiations.

In connexion with the question as to whether an agreement between Israel and the Arab States must necessarily conform with previous Assembly resolutions, he said that he wished to remove the impression that the Arab Governments had always accepted United Nations resolutions. Since the Mandatory Power had submitted the Palestine problem to the General Assembly, each of the Governments concerned had, on some occasions, failed to comply with resolutions of the Assembly. As a general rule, the Arab States had opposed the resolutions when the circumstances had been favourable to their implementation and had demanded compliance with them when it had been quite safe to assume that they could no longer be implemented. It was hardly arguable that recommendations should retain an unchanging validity in the face of radically changed situations. Nothing would be more prejudicial to the success

of direct negotiations which might materialize than to link future prospects to unfulfilled proposals of the past. His Government, therefore, considered that any measures to limit the parties in their sovereign power of agreement by pre-conditions requiring conformity with previous programmes would be an error which would destroy the prospects for a peaceful Near East.

His Government believed that the relations between Israel and the Arab States had six major aspects, all of which should appear on an agenda for direct negotiations.

The first question related to security. The Armistice Agreements could only be replaced by a final peace settlement; they did not in themselves constitute a satisfactory basis for relations between Israel and the Arab States in the matter of security. Israel, having experienced a sudden invasion four years before and having to deal with subsequent infiltration, was of the opinion that the peace settlement should include more binding mutual guarantees against aggression than those contained in the Armistice Agreements. In view of the prevailing situation, the Governments of the Near East were maintaining higher military budgets than they would in normal circumstances, and thus there was a permanent danger of an armaments race. Moreover, the Arab States had expressed fear of a possible expansion of Israel; that fear was quite unfounded. However, if they were sincere, the Arab States should, logically, support a peace treaty embodying non-aggression guarantees. Also, a pacific settlement would make it possible to limit military budgets and to avoid an armaments race.

The second question was that of territorial adjustments. The previous frontiers laid down by the Armistice Agreements could be modified and adjusted within the framework of a negotiated peace settlement. In that connexion, one of the problems to be studied would be that of the demilitarized zones, where division of authority had always caused serious tensions at critical times. Similarly, both parties could take the necessary action to re-unite with their lands and fields certain villages now separated by frontiers laid down in the Armistice Agreements. Actually, in signing the Armistice Agreements, the parties had accepted the principle that frontier adjustments required consent; and the United Nations had always maintained that frontier adjustments, provided they could be effected by consent, were within the exclusive competence of the governments concerned.

The third question was that of the refugees. Israel, which had made more sacrifices than any

State in history on behalf of refugees coming to it from outside, regarded that problem as one of urgent humanitarian concern. In the circumstance, nothing would be more inspiring than for the two negotiating parties to make joint proposals to the Commission for international assistance in solving the problem. His Government, in spite of the current political tension and the great strain on its economy, had agreed to release certain accounts held by Arab refugees in Israel banks and had further agreed, at the request of the United Nations Relief and Works Agency, to settle 19,000 refugees in Israel. It had also undertaken a special programme to unite families, thereby facilitating the passage of thousands of refugees across the lines, notwithstanding the state of tension. The Israel Government had always held that the settlement of the refugee question was an integral part of the establishment of normal relations between Israel and the Arab States. Nevertheless, it had agreed to the request of the Conciliation Commission to discuss the compensation question separately. It had also accepted the obligation to pay compensation for lands abandoned by Arab refugees, and it would co-operate with the United Nations organs concerned in working out a plan to that effect.

The fourth question related to the economic questions between the two parties. Since the States of the Near East were faced with similar or related economic problems, peaceful co-operation among them could enhance the welfare of the entire region; the economy of both the Arab States and of Israel would benefit considerably if the present blockade measures were replaced by normal economic relations. Co-operation between the States in the area in evolving new methods for the development of the area as a whole would assist the industrial growth needed by each country to supplement its agricultural production, would improve the exploitation of the area's natural resources and could even solve the common problem of the encroachment of the desert upon the cultivated area.

The fifth question concerned regional co-operation which had four aspects: communications, social and health questions, scientific and cultural questions and co-operation in technical assistance. The material and cultural predominance of the Near East in the past had resulted largely from active inter-communications between the countries of the region; the peace negotiations should consider ways and means of re-establishing road and railway communications, the interruption of which was harmful to the entire region. One

of the chief obstacles to progress in the Near East was its low standard of public health and its lack of progress in social organization. The absence of regional co-operation in matters common to all the Near Eastern countries, such as the battle against malaria and the traffic in narcotics, was a threat to the general human welfare. In the field of science and culture, the interchange by governmental agreement of students and teachers would serve to remind both the Hebrew and the Arab peoples of the human elements in their own traditions, thus removing the unnatural estrangement that had separated them in recent times. Finally, all the countries of the Near East needed technical assistance to solve their water, health and organizational problems, which could be dealt with only through co-operation.

The sixth question related to diplomatic and juridical relations. The establishment of normal relations in all the fields outlined should, the representative of Israel stated, be given formal effect in diplomatic international instruments. A treaty of peace should replace the Armistice Agreements. The boycott and blockade should be succeeded by trade treaties and transit agreements. Navigation, air and visa agreements and all the other conventions which normally existed between sovereign States at peace with each other should replace the ostracism and silence which at the moment marked the relations between Israel and the Arab States. There was nothing Utopian, he said, in the prospects he had outlined which represented merely Israel's view of a possible agenda for direct peace negotiations between Israel and its Arab neighbours. Israel would prefer to meet separately with each of the Arab States as it had met with each of them to conclude Armistice Agreements. If the proposals he had outlined were adopted as a result of the United Nations calling for free and direct peace negotiations, the Organization's prestige would be greatly enhanced.

In reply, the Arab representatives, in particular the representative of Syria, said that the plan outlined by the representative of Israel merely evaded the real problem before the Committee, since it dealt with the development of the Middle East and not with the rights of the refugees. It was an endeavour to obscure the issues by referring to a large number of subjects which fell within the sphere of the sovereign rights of Member States. Such problems, he held, could not be considered by the United Nations. The plan was not far removed from colonialism and the Arab States were not prepared to exchange Euro-

pean colonialism, which they were still fighting, for Israel colonialism. They added that the plan constituted simply a new version of the plans which the pioneers of Zionism had presented successively to various Powers, each time recommending an alliance and pointing out the advantages to be derived by the Power concerned, both for its economy and for its influence and prestige throughout the world. They added that before a peace plan could be negotiated the parties concerned must be sincerely and honestly prepared to respect all the obligations laid down in the Charter and all the resolutions of the General Assembly. For their part, the Arab States accepted all the Assembly's resolutions concerning the Palestine question. Israel, on the other hand, demanded that direct negotiations should be opened and stated from the outset that it intended to ignore the General Assembly's resolutions.

(c) **DRAFT RESOLUTIONS AND AMENDMENTS
SUBMITTED IN THE Ad Hoc POLITICAL
COMMITTEE**

In the course of the debate, three draft resolutions were submitted:

(1) a joint draft resolution (A/AC.61/L.23) originally submitted by Canada, Denmark, Ecuador, Netherlands, Norway and Uruguay which was later also sponsored by Cuba (A/AC.61/L.23/Rev.1) and by Panama (A/AC.61/L.23/Rev.2); (2) a joint draft resolution (A/AC.61/L.25) by Afghanistan, Indonesia, Iran and Pakistan; and (3) a Syrian draft resolution (A/AC.61/L.33).

Under the eight-Power draft resolution (A/AC.61/L.23/Rev.2), the Assembly, recalling its own resolutions and the resolutions of the Security Council, especially those calling upon the parties in Palestine to achieve an early agreement on a final settlement, and taking note of the twelfth report of the Palestine Conciliation Commission, would:

(1) call upon all parties to desist from any further acts of hostility; (2) reaffirm the principle that the Governments concerned had the primary responsibility for reaching a settlement; (3) urge these Governments to begin early direct negotiations for a settlement; and (4) request the Conciliation Commission to be available for that purpose, if so desired.

The following amendments to the eight-Power draft were submitted:

(a) An amendment by Chile (A/AC.61/L.26) which would change the first paragraph of the operative part to refer to "any act" of hostility rather than to "any further acts" and in the third paragraph add a provision that in the envisaged negotiations due consideration would be given to the fundamental principles contained in United Nations resolutions on Palestine and its problems.

(b) A joint amendment by Colombia, Costa Rica, El Salvador, Haiti and Honduras (A/AC.61/L.27) which would: (1) add a paragraph expressing apprecia-

tion of the Commission's work; (2) rephrase the third paragraph to add a reference to Article 33 of the Charter and the previous Assembly resolutions and to include a provision asking the Governments concerned to use in their negotiations the good offices of the Commission and the facilities of the United Nations; (3) replace the fourth paragraph by one which would urge the Commission to continue helping the parties in reaching a settlement and to initiate direct negotiations between them; and (4) add at the end two new paragraphs which would request the Commission to render periodic reports and the Secretary-General to provide facilities for carrying out the terms of the resolution.

(c) An amendment by Peru (A/AC.61/L.28) which would insert a clause to refer to the jurisdiction vested under the Charter in the United Nations and particularly in the Assembly and the Security Council under the previous resolutions on Palestine.

At the 36th meeting of the Committee on 8 December another revision of the eight-Power draft resolution was presented (A/AC.61/L.23/Rev.3) which took into account the various amendments. The new text contained a provision whereby the Governments would enter into direct negotiations without prejudice to their respective rights and claims and would bear in mind the principal United Nations objectives in Palestine including the religious interests of third parties. The representatives of Chile and Peru therefore withdrew their amendments and the representative of Costa Rica, on behalf of the sponsors, withdrew the joint amendment. This draft underwent a further change (A/AC.61/L.23/Rev.4) when, at the suggestion of the Mexican representative, words were added to the effect that the Governments concerned would bear in mind resolutions of the United Nations as well as the religious interests of third parties.

In explaining their draft resolution, the sponsors of the eight-Power draft, supported by the representatives of Chile, Colombia, France, New Zealand, the Union of South Africa, the United Kingdom and the United States, said that the draft resolution was intended to accomplish one of the essential purposes of the United Nations, namely, the pacific settlement of international disputes by means of direct negotiations.

The unsettled situation in the Near East, they said, was a factor making for instability in the world. It was necessary to establish normal relations between Israel and the neighbouring States and many attempts had already been made in that connexion, more particularly by the Conciliation Commission for Palestine. It was to be hoped that the Commission would continue its efforts, but they were convinced that an appeal should be made for direct negotiations between the parties.

Since the United Nations and its agencies could only recommend and not impose any solution, the primary responsibility for reaching a settlement rested on the parties themselves. They were aware of the difficulties of the problem, particularly those presented by the unsettled refugee question. However they doubted the wisdom of making direct negotiations conditional upon settlement of that question and suggested that that settlement had perhaps been rendered more difficult because the matter had been considered in isolation. They felt that it would be preferable to seek a comprehensive settlement by direct negotiations and if that attempt failed, at least a clear picture of the whole problem would have been obtained.

Moreover, the joint draft resolution recalled old resolutions adopted by the United Nations on the Palestine question. None of these resolutions had been rejected and the Arab delegations were perfectly free to propose them as a basis for negotiations, while every delegation would have the right to put forward new and different proposals in the light of events. These resolutions undoubtedly contained many useful proposals which could and should still be implemented; nevertheless, they inevitably took account of the situation at the time of their adoption and did not necessarily bind the Assembly forever. In the present case, the Assembly would certainly not wish some of its resolutions to stand in the way of an agreement between the parties. They added that it was encouraging to note that the Arab States had not rejected the idea of direct negotiations although they wished them to take place on the basis of past General Assembly resolutions. However, to make these resolutions a prerequisite for negotiation was not the best procedure to achieve good results.

The representatives of the Arab States rejected the eight-Power draft resolution as being partial, impractical and useless. Their central thesis was that the direct negotiations called for in the joint draft would be fruitless if they were not based upon the previous resolutions of the United Nations, and in particular resolution 194(III) of 11 December 1948.

Under the joint draft resolution (A/AC.61/L.25) submitted by Afghanistan, Indonesia, Iran and Pakistan, the General Assembly would reaffirm its resolution 512(VI) of 26 January 1952, express appreciation of the efforts of the Conciliation Commission and note with regret that during the previous year the progress had not come up to expectations. It would further: request the Commission to continue efforts to fulfil

its task under Assembly resolutions; decide that its headquarters should be located in Jerusalem; increase the Commission's membership to five, the two additional members to be nominated by the Assembly; and request the Commission to report to the eighth session of the Assembly.

The sponsors of the four-Power draft resolution, supported by the representatives of the Arab States as well as by those of Ethiopia and India, considered that the previous resolutions should be reaffirmed and not merely recalled, as in the eight-Power draft resolution, and that the United Nations objectives in Palestine should be specific and the basis for the recommended negotiations should be made clear. They also felt some concern at the statement by the Israel representative that the previous resolutions had been rendered obsolete by the march of events and could not serve as a basis for negotiations. These resolutions, they considered, should continue to be the basis for negotiations. If the parties subsequently agreed to modify some of the Assembly's decisions, there would be no grounds for objection; the essential point was to afford them a basis upon which negotiations could be started. The draft reaffirmed Assembly resolution 512 (VI), giving particular importance to the fourth and fifth operative paragraphs. The headquarters of the Commission should, they argued, be in Jerusalem, if only for the moral effect it would have on the peoples concerned; the Commission's presence there would show that it was prepared to take an active part in the negotiations between the parties to the dispute. As for the increase in the membership of the Commission, one of the reasons for such an increase was that, in its report to the Assembly's sixth session, the Conciliation Commission had stated that its members had received instructions from their Governments which they had felt obliged to carry out. United Nations commissions should be objective, impartial and truly international in character and an extension of the Commission's membership would probably increase confidence in its impartiality. Moreover, the Commission, which had begun to show signs of fatigue during its four years in office, might gain in vigour by the introduction of new blood.

The representative of Syria was of the opinion that the joint eight-Power draft resolution raised legal questions of the highest importance. Since direct negotiations would deal with the rights of the refugees, he wondered whether the United Nations could invite Israel and the Arab States to reach agreement with respect to the purely private rights of persons who were not even

their nationals. Before coming to a decision on the eight-Power draft, the Committee should, logically, ask the highest international legal authority for an answer to the question. That course of action was essential so that the members of the Committee should no longer have any doubt in their minds as to the justice and equity of the decisions they would be required to adopt. Therefore he introduced a draft resolution (A/AC.61/L33), according to which the General Assembly would state that the problem of the Palestine Arab refugees involved questions of law and would call for legal examination of the various rights of refugees. It would request, in accordance with Article 96, paragraph 1, of the Charter, the advisory opinion of the International Court of Justice on the following legal questions:

- (1) whether Palestine Arab refugees were entitled as of right to be repatriated to their former homes and to exercise their rights to their properties and interests;
- (2) whether Israel was entitled to deny refugees these rights;
- (3) whether these rights should be observed by themselves or required to be negotiated by States, the refugees not being nationals thereof; and
- (4) whether Member States were entitled in law to enter into any agreement in relation to these rights.

Both the representatives of France and of the USSR expressed their opposition to the principles contained in the Syrian draft resolution.

The representative of France recalled that his delegation had consistently taken the position that the International Court of Justice had not been created as a United Nations tribunal and had no competence to interpret the Charter or render advisory opinions to the Assembly, as would be seen from a study of Chapter II of its Statute. Practice had been different, but his Government's position had been in some measure vindicated by the fate of advisory opinions so far rendered. This course was to be deplored because it compromised the authority of the Court in purely political questions. The French delegation, therefore, opposed the Syrian draft resolution on principle. It further objected to the Syrian proposal in the interests of the Arab refugees themselves. The special circumstances of the Palestine question had rendered the General Assembly competent to deal with it. If, as Syria argued, the Assembly was not competent to recommend negotiations between the parties, its competence to settle the refugee question could also be called into question. Were the Syrian argument carried to its logical conclusion, it would in fact deprive the refugees of the international protection afforded by an Assembly resolution and leave them no other recourse than to the courts of Israel. In the interests of the refugees, France would vote against the Syrian proposal.

The representative of the USSR argued that the rights of the Arab refugees had been recognized by General Assembly decisions which could not be revised or annulled. There was therefore no need for an opinion from the International Court. Moreover, it would be incorrect to refer such a political matter to the Court. Accordingly, the USSR would vote against the Syrian draft resolution.

At the 39th meeting on 11 December 1952, the Committee voted on the three draft resolutions before it in the order of their submission, having rejected by a roll-call vote of 21 to 13, with 24 abstentions, a motion by the representative of Syria to give priority to his draft resolution (A/AC.61/L.33).

The revised eight-Power draft resolution (A/AC.61/L.23/Rev.4) was voted on first, with the following results:

The preamble and the first three paragraphs of the operative part were adopted by 34 votes to 11, with 9 abstentions; paragraph 4 of the operative part was adopted by a roll-call vote of 31 to 14, with 13 abstentions; paragraphs 5, 6 and 7 were adopted by 35 votes to 16, with 3 abstentions. The draft resolution as a whole was adopted by a roll-call vote of 32 to 13, with 13 abstentions.

The four-Power draft resolution (A/AC.61/L.25) was rejected by 27 votes to 14, with 13 abstentions, and the Syrian draft resolution (A/AC.61/L.33) was rejected by 26 votes to 13, with 19 abstentions. The text of the draft resolution adopted by the Committee read:

"The General Assembly,

"Recalling that it is the primary duty of all Members of the United Nations, when involved in an international dispute, to seek the settlement of such a dispute by peaceful means, in accordance with Article 33 of the Charter,

"Recalling the existing resolutions of the General Assembly and the Security Council on Palestine,

"Recalling especially those resolutions which call upon the parties to achieve at an early date agreement on a final settlement of their outstanding differences,

"Taking note of the twelfth progress report (A/2216) of the United Nations Conciliation Commission for Palestine in which it is suggested that general or partial agreement could be sought through direct negotiations, with United Nations assistance or mediation,

"1. Expresses its appreciation of the efforts made to date by the Conciliation Commission for Palestine in the discharge of its mandate;

"2. Calls upon the parties to honour fully their undertaking to refrain from any acts of hostility against each other;

"3. Reaffirms the principle that the Governments concerned have the primary responsibility for reaching

a settlement of their outstanding differences, and with this in view;

"4. Urges the Governments concerned to enter at an early date, without prejudice to their respective rights and claims, into direct negotiations for the establishment of such a settlement, bearing in mind the resolutions as well as the principal objectives of the United Nations on the Palestine question, including the religious interests of third parties;

"5. Requests the Conciliation Commission for Palestine to continue its efforts to fulfil the tasks entrusted to it under General Assembly resolutions and to be available for assistance in the negotiations if so desired;

"6. Requests the Conciliation Commission for Palestine to render progress reports periodically to the Secretary-General for transmission to the Members of the United Nations; and

"7. Requests the Secretary-General to continue to provide the necessary staff and facilities for carrying out the terms of the present resolution."

(2) Consideration by the General Assembly
in Plenary Session

The report of the Ad Hoc Political Committee (A/2310) was considered by the General Assembly at its 405th and 406th plenary meetings on 18 December. The representative of the Philippines submitted an amendment (A/L.134) to alter the fourth paragraph of the operative part of the draft resolution recommended by the Committee to read:

"Urges the Governments concerned to enter at an early date, without prejudice to their respective rights and claims, into direct negotiations for the establishment of such a settlement, on the basis of the resolutions as well as the principal objectives of the United Nations on the Palestine question, including the religious interests of third parties, and, in particular, the principle of the internationalization of Jerusalem."

The words "on the basis of" would replace the words "bearing in mind" and the reference to the principle of the internationalization of Jerusalem would be added. The representatives of Belgium, Colombia, the Dominican Republic, Haiti, Pakistan and Peru, speaking in favour of the amendment, declared that they were doing so because it reaffirmed all United Nations resolutions relating to the Palestine question, especially to the internationalization of Jerusalem. The representatives of Australia, France, the Netherlands, New Zealand and the United States declared that they would vote against the amendment because it would limit the freedom of the proposed negotiations by dictating, in advance, the conditions for those negotiations. Moreover, it would make the question of the internationalization of Jerusalem a subject for negotiations between the parties, whereas that question was an international one. Furthermore, some representatives, while supporting the internationaliza-

tion principle, doubted whether the two parties affected, namely, Israel and Jordan, would be ready to accept implementation of that principle.

The representatives of Iraq and Egypt reiterated the view they had previously expressed in the Ad Hoc Political Committee to the effect that the direct negotiations called for in the proposed resolution would be fruitless. They quoted excerpts from an interview of Mr. Ben Gurion, Prime Minister of Israel, who was alleged to have said that the Arab refugees should not be repatriated, that Jerusalem should not be internationalized and that no part of Israel territory could be ceded. In view of that declaration, they said, the Arabs were wondering what remained to be negotiated.

The representative of Israel remarked that the dispatch of the New York Times which was referred to had not accurately described the intentions of the Israel Prime Minister, but had merely reflected the correspondent's interpretation of the Prime Minister's views. He suggested that it would not be in keeping with the usual procedures of international relations to describe the viewpoints of governments from unofficial sources.

The representative of Syria agreed that only official governmental views should be taken into consideration. However, he recalled that Mr. Ben Gurion himself had, on 13 December 1949, officially declared in the Israel Parliament that the United Nations decision to internationalize Jerusalem was utterly incapable of implementation. Moreover, the Conciliation Commission had declared in its third progress report that it had not succeeded in achieving the acceptance by Israel of the principle of repatriation. Furthermore, Mr. Eban, the permanent representative of Israel to the United Nations, in a letter dated 28 October 1949 addressed to the Conciliation Commission, had declared that there could be no cession of the present Israel territory. If the New York Times dispatch and these quotations were either false or had misinterpreted the intentions of the Government of Israel, the Syrian representative maintained, the representative of Israel should so inform the Assembly.

At its 406th plenary meeting on 18 December, the General Assembly voted on the Philippine amendment. It first rejected, by a roll-call vote of 26 in favour to 24 against, with 10 abstentions,⁶⁰ the proposal to replace the words "bearing in mind" by the words "on the basis of" in the fourth operative paragraph. Voting was as follows:

In favour: Afghanistan, Argentina, Belgium, Bolivia, Brazil, China, Colombia, Dominican Republic, Egypt, El Salvador, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Peru, Philippines, Saudi Arabia, Syria, Thailand, Turkey, Yemen, Yugoslavia.

Against: Australia, Byelorussian SSR, Canada, Chile, Cuba, Czechoslovakia, Denmark, Ecuador, France, Iceland, Israel, Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, Sweden, Ukrainian SSR, Union of South Africa, USSR, United Kingdom, United States, Uruguay.

Abstaining: Burma, Costa Rica, Greece, Guatemala, Honduras, Liberia, Luxembourg, Mexico, Paraguay, Venezuela.

The Assembly then rejected, by a roll-call vote of 28 in favour to 20 against, with 12 abstentions,⁶¹ the remainder of the amendment, referring to the principle of the internationalization of Jerusalem. Voting was as follows:

In favour: Afghanistan, Argentina, Belgium, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Egypt, El Salvador, Ethiopia, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Paraguay, Peru, Philippines, Saudi Arabia, Syria, Thailand, Venezuela, Yemen.

Against: Byelorussian SSR, Czechoslovakia, Denmark, Ecuador, Iceland, Israel, Netherlands, New Zealand, Norway, Panama, Poland, Sweden, Turkey, Ukrainian SSR, Union of South Africa, USSR, United Kingdom, United States, Uruguay, Yugoslavia.

Abstaining: Australia, Burma, Canada, China, France, Greece, Guatemala, Honduras, Liberia, Luxembourg, Mexico, Nicaragua.

The draft resolution proposed by the Ad Hoc Political Committee was rejected by a roll-call vote of 24 in favour to 21 against, with 15 abstentions,⁶² as follows:

In favour: Australia, Brazil, Burma, Canada, Chile, Cuba, Denmark, Ecuador, France, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Sweden, Union of South Africa, United Kingdom, United States, Uruguay, Yugoslavia.

Against: Afghanistan, Bolivia, Byelorussian SSR, China, Czechoslovakia, Egypt, El Salvador, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Yemen.

Abstaining: Argentina, Belgium, Colombia, Costa Rica, Dominican Republic, Greece, Guatemala, Haiti, Honduras, Liberia, Mexico, Peru, Philippines, Turkey, Venezuela.

In explaining his vote, the USSR representative recalled that in the course of the debates in the Ad Hoc Political Committee several resolutions had been submitted. However, "as a result of corridor politics", the draft of the reso-

⁶⁰ The proposals were not adopted as they did not receive the required two-thirds majority.

⁶¹ The proposals were not adopted as they did not receive the required two-thirds majority.

⁶² The proposals were not adopted as they did not receive the required two-thirds majority.

lution recommended to the Assembly had been changed several times. His delegation had abstained on that resolution since it referred to the Conciliation Commission to the creation and activities of which the Soviet Union had always objected. He also recalled that his delegation had, on a number of occasions, pointed out that the Commission, which was created at the initiative of and headed by the United States, did not serve to reconcile the interests and settle disputes between the parties in Palestine. In fact, he said, the whole activity of the Commission testified to the fact that not only did it not help to settle points of dispute, but it was rendering the situation in the Middle East more acute and was not acting in the interests of the people of that area. The presence in the resolution of items relating to the work of the Commission had made the whole resolution unacceptable to his delegation.

No resolution on the question was adopted at the seventh session of the General Assembly, and the resolution adopted at its sixth session (512(VI)) therefore remained in force.

4. Complaint of Israel against Arab States

In a letter (A/2185) dated 14 September 1952 to the Secretary-General, the permanent representative of Israel stated that, in the event of an item concerning the Palestine conciliation effort being included in the agenda of the Assembly's seventh session, his Government would request that, with a view to a balanced consideration of this question by the Assembly, the following item should be included: "Violation by Arab States of their obligations under the Charter, United Nations resolutions and specific provisions of the General Armistice Agreements concluded with Israel, requiring them to desist from policies and practices of hostility and to seek agreement by negotiation for the establishment of peaceful relations with Israel".

Subsequently, by a letter (A/2185/Add.1) dated 9 October 1952, the permanent representative of Israel submitted an explanatory memorandum recalling that hostilities between the Arab States and Israel, brought about by the armed intervention of the Arab States in defiance of the General Assembly resolution 181(II) of 29 November 1947, were terminated early in 1949 by the series of Armistice Agreements between Israel, on the one hand, and Egypt, Lebanon, Jordan and Syria, on the other. Despite the lapse of nearly four years, there had been little or no

further progress towards the conclusion of a final peace settlement between the parties.

The Assembly, in resolution 194(III) of 11 December 1948, the memorandum said, had called upon the Arab States to seek agreement by negotiation with a view to the final settlement of all questions outstanding between the Arab States and Israel. Similar calls to the parties to settle their differences by negotiations had repeatedly been made by both the General Assembly itself and by the Security Council, most recently by Assembly resolution 512(VI) of 26 January 1952. Moreover, the Armistice Agreements of which the above-mentioned States were signatories, were intended, according to their very text, to facilitate the transition to permanent peace.

The Government of Israel, the memorandum continued, had at all times indicated its readiness to meet with representatives of the Arab countries with a view to achieving such a settlement. The Arab States on the contrary, it charged, had continued to maintain tension and to endanger peace and security throughout the region: by constantly rejecting proposals for direct discussion and negotiation; by reiterated threats of force and by inflaming public sentiment against Israel; by declared ambitions of territorial expansion against Israel, including acts of armed infiltration across the borders; by acts of illicit blockade condemned by the Security Council; and by refusal to implement vital provisions of the Armistice Agreements, including provisions for ensuring free access to and operation of institutions of science, culture and religion. All efforts of the United Nations Conciliation Commission for Palestine throughout the four years of its existence to bring the parties together had, therefore, remained fruitless.

The refusal of the Arab States to enter into negotiations with Israel also, it was maintained, constituted a violation of the United Nations Charter, which, in Article 2, paragraph 3, enjoined all Members to settle their international disputes by peaceful means and, in Article 33, enjoined the parties to any dispute to seek a solution by negotiation or other peaceful means of their own choice.

Israel therefore requested that the General Assembly give further consideration to the situation with a view to calling upon the Arab States to seek a peaceful settlement of their dispute with Israel by direct negotiations.

The General Assembly, at its 380th plenary meeting on 16 October, decided to include the question in its agenda and at its 382nd plenary

meeting on 17 October, decided to refer it to the Ad Hoc Political Committee.

By a letter (A/AC.61/L.45) dated 19 December 1952, addressed to the Chairman of the Ad Hoc Political Committee, the representative of Israel stated that since the problem had been fully discussed during consideration of the item "The Conciliation Commission for Palestine and its work in the light of the resolutions of the United Nations" (see above), his delegation did not insist that the new item proposed by his delegation should be considered by the Ad Hoc Political Committee.

On the proposal of the Chairman, the Ad Hoc Political Committee at its 50th meeting on 19 December, by 47 votes to none, with 10 abstentions, adopted a draft resolution taking note of the communication from Israel.

The draft resolution proposed in the Committee's report (A/2340) was adopted by the General Assembly at its 410th plenary meeting on 21 December by 37 votes to 1, with 11 abstentions, as resolution 619(VII). It read:

"The General Assembly

"Takes note of the communication of 19 December 1952 from the representative of Israel to the Chairman of the Ad Hoc Political Committee, stating that the debate in that Committee on item 67 of the agenda of the General Assembly had dealt fully with most aspects of item 68 and that the Israel delegation did not insist on the consideration of the latter item."

5. Assistance to Palestine Refugees

In accordance with General Assembly resolution 302 (IV) of 8 December 1949, establishing the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE), the Director of UNRWAPRNE submitted an annual report (A/2171) covering the period 1 July 1951 to 30 June 1952 and a special report (A/2171/Add.1) containing recommendations of the Director and the Agency's Advisory Commission for the future work of assistance to the Palestine refugees.

a. REPORT OF THE DIRECTOR OF UNRWAPRNE

The report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE) (A/2171) covering the period 1 July 1951 to 30 June 1952 stated that as of June 1952 there were more than 880,000 refugees on the Agency's ration rolls. They were distributed as follows:

Lebanon	104,000
Syria	84,000
Jordan	470,000
Gaza	204,000
Israel	19,000

Late in June 1952, agreement was reached with Israel that it would assume responsibility for the care of 19,000 refugees on its soil. Supplies already delivered, as well as technical assistance from the Agency's staff were, however, to be available over a transition period of two months.

Only one third of the registered refugee population lived in Agency-organized camps, the report said. The other two-thirds had managed to find lodging on their own. However, with their diminishing resources, a large number had found it impossible to continue independently and had to be admitted to camps. The requests of many more had been turned down.

Due to the world shortage of tents and the experience of the 1951-52 winter when very large numbers of tents were destroyed by storms, new shelter and hut construction programmes had been launched by the Agency in Jordan, Syria and parts of the Gaza strip where there was a more or less permanent refugee population.

A satisfactory nutritional level was maintained during the period—a fact attested by experts of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) after a survey conducted in April 1952. The experts however emphasized the fact that the satisfactory nutritional level had been maintained largely on account of the supply of milk to 450,000 refugee infants, children and mothers by the United Nations International Children's Emergency Fund (UNICEF). (Milk was not supplied by the Agency.) Standards of health care remained high and no outbreaks of disease occurred during the year, it was reported.

The report said that with relief funds it had been barely possible to maintain minimum standards of food, shelter and health and that clothing of the refugees had been dependent on voluntary contributions organized in a number of countries.

A welfare programme was also provided including social case-work for the individual refugee, recreational facilities, Boy and Girl Scouts and other youth activities and sewing and embroidery centres for girls. The Agency also developed, with the assistance of the United Nations Educational, Scientific and Cultural Organization (UNESCO), an education and school system at the primary level.

The report emphasized the need to terminate relief operations by providing regular work for

the refugees in order to prevent the development of "a professional refugee mentality". It further emphasized the need for dispersal of refugees in areas with an economic potential. The report then reviewed the Agency's work⁶³ from its inception to the adoption by the Assembly at its sixth session of resolution 513 (VI)⁶⁴ by which it approved a \$250 million programme and called for contributions of that amount over a period of approximately three years. This provided for \$50 million for relief and \$200 million for the new programme of improvement of living conditions of refugees.

Explaining the new programme, the report said that its essence was the improvement of living conditions of refugees and the elimination of camp life and ration rolls, an aim to be achieved without prejudicing the interests of refugees as regards repatriation and/or compensation. This objective, the report said, was to be accomplished through: helping refugees to find employment; training for occupations where there was shortage of trained workers; making loans and grants to refugees to establish small enterprises; building houses in or near urban areas where employment was available; establishing villages in areas where cultivable land was available; developing agricultural lands through the drilling of wells, irrigation works, and access roads; and financing economic development generally and providing technical assistance where there were assurances of proportionate benefit to refugees.

Giving the status of the programme in various areas, the report said that Jordan, which had within its borders almost half the refugees, had offered citizenship to them and opportunities for self-support. The Jordan Government was completing a 200-unit housing project for refugees at Ghor Nimrim. The Agency's activities in Jordan comprised: (1) the establishment of a Development Bank for a small loan programme for refugees; (2) studies for an agricultural project at Sheraa; (3) the completion of a 50-unit housing programme in Amman; (4) the establishment of a small co-operative on government land—the first crops under this co-operative were good and the project was being expanded; (5) the establishment of a 36-unit Merj Naja Agricultural Community; (6) the merging of small training projects into a \$1 million vocational programme; and (7) the drawing up of an agreement for an \$11 million programme which had been approved by the Government.

As regards Syria, the report stated that there were good prospects of helping refugees in that

country and that a small loan programme was at present in operation. A large vocational programme was being planned. Iraq and Libya were, in the opinion of the Agency, suitable as placement centres. Iraq already had 5,000 refugees under government refugee care while the new Government of Libya had suggested the admission of 1,200 refugee families.

In Lebanon, the report said, the Government did not feel that there were opportunities for refugees and in Gaza water and soil survey did not yield good results. However, plans were being made in Gaza for large-scale vocational training projects.

The Agency expressed the hope that in the coming year it would demonstrate convincingly the economic potential of a capital investment of \$200 million in improving refugee living conditions. It also envisaged economic benefits to the countries where the refugees were settled.

The report stated that the Agency's total income for the fiscal year amounted to some \$43.3 million, including cash contributions of \$41.8 million, contributions in kind of \$1.1 million, and miscellaneous receipts of \$400,000. The greater part of the cash contributions were against current pledges amounting to some \$66 million. Contributions by countries were: United States \$30,000,000, United Kingdom \$8,000,000, France \$2,000,000, others \$1,030,921. Thus, the report stated, as against \$77 million budgeted by UNRWAPRNE and authorized by the General Assembly resolution, some \$66 million were pledged by governments and \$41 million were actually received. The total expenditure was stated by the report to have been \$29.19 million out of which \$25.90 million were spent on relief and \$3.28 million on the new programme. The Agency expected that ample funds would be available for the new fiscal year. On 1 July the Agency had approximately \$11 million of unallotted and unreserved cash, and \$25.2 million were expected on pledges for the fiscal year 1951-52. In addition, a total of \$80 million was anticipated during the fiscal year 1952-53 as follows: United States \$60 million; United Kingdom \$15 million; France \$3 million; other contributors \$2 million.

Though the available resources for the new fiscal year were nearly \$116 million, the report stated that only a small part of the sum would be available for the relief programme, since two of the contributing governments had stipulated

⁶³ See Y.U.N., 1950, pp. 323-28 and Y.U.N., 1951, pp. 309-16.

⁶⁴ See Y.U.N., 1951, pp. 315-16.

that only a limited portion of their funds might be used for that purpose. However, a large part of the funds would be available for financing projects under the new programme.

Under the heading "Operational Reports", the Agency dealt with its organization and administration; procedures and methods of supply and procurement; the organization, personnel and budget of its health and medical programme; the organization of refugee welfare including social welfare, placement and statistics of refugees; the organization of its education division including pre-vocational and technical training, and fundamental and adult education; co-ordination with specialized agencies and other bodies; and the legal aspects of the Agency's work.

A special report (A/2171/Add.1) of the Director and the Advisory Commission of the Agency, dated 17 October, stated that the Director and the Advisory Commission together had reviewed the programme operations. They now submitted their conclusions and recommendations which were as follows:

(1) During the intervening months, the Agency had made efforts to negotiate programme agreements with the governments in the area and to start projects which would take refugees off relief without prejudice to their interests in repatriation or compensation.

(2) Although the programme had started and agreements had been reached, a revision of schedules was necessary.

(3) Relief costs for the current year would approximate \$23 million instead of the estimated \$18 million. The Agency was prepared financially to commit and to expend during the current fiscal year \$100 million on works projects. It was hoped that project agreements would be executed for the balance of the programme by 30 June 1954.

(4) Acceleration of the programme was essential. Relief funds were running out and the flow of funds for projects could not be sustained unless available funds were utilized.

(5) The Director and the Advisory Commission would urge governments concerned to co-operate with the Agency in preparing specific projects and helping in their execution.

The Director and the Advisory Commission therefore recommended that the Assembly:

(1) authorize the Agency to spend \$23 million for relief and to commit and expend \$100 million for works projects in the fiscal year 1952-53; (2) authorize the Director after consultation with the Advisory Commission, to formulate and revise a fiscal plan for the fiscal year 1953-54 within limits of the over-all programme under Assembly resolution 513(VI); (3) direct that revisions and transfers with respect to fiscal plans for 1952-53 and 1953-54 be reported to the Assembly at its eighth regular session; and (4) request that negotiations for contributions necessary to finance the programme be continued by the Negotiating Committee for Extra-Budgetary Funds.

b. CONSIDERATION BY THE Ad Hoc POLITICAL COMMITTEE

The General Assembly decided to include the two reports in its agenda and referred them to the Ad Hoc Political Committee which discussed them at its 3rd to 7th meetings between 23 and 30 October 1952.

In a statement supplementing the reports, the Director of the Agency said that UNRWAP-RNE's function was to help improve the living conditions of the Palestine refugees and to enable them to become self-supporting without prejudice to their right to repatriation or to compensation if they decided not to return to their homes.

The success of the programme, he declared, would depend upon the co-operation of the governments of the host countries, the generosity of contributing governments, a spirit of understanding on the part of refugees and administrative effectiveness on the part of the Agency. It was important, he said, that the programme had been endorsed by the Arab League. With that solid foundation, the Agency had drawn up works projects which had been submitted to governments of host countries and had received their approval. The current financial year was a decisive one for the Agency as well as for the refugees, the interested governments and the contributing governments. Relief expenses, he said, would amount to \$23 million, but that sum would only cover the most urgent needs and would suffice only if food prices remained stationary, if relief was restricted to refugees really in need and if the operation of the new programme progressed according to plan. He noted also that the estimated relief expenses for the current financial year would exhaust allocations for relief. Any increase in expenditure would have to be met out of funds allocated for the projects and would jeopardize their execution. He then recapitulated the progress achieved by the Agency in its work (see above).

He concluded by stating that during the current financial year the Agency would have \$100 million to devote to the work of improving the condition of the refugees—a heartening fact which held out fresh hope.

Discussion in the Committee centred in a draft resolution (A/AC.61/L.1) submitted jointly by France, Turkey, the United Kingdom and the United States, under which the General Assembly, recalling its previous resolutions and recognizing that immediate realization of the goals for the reduction of relief expenditure envisaged in the three-year \$250 million programme ap-

proved in resolution 513 (VI) had not proved possible, would:

authorize the Agency to increase the budget for relief to \$23 million for the fiscal year ending June 1953, and to make such further adjustments as it might deem necessary to maintain adequate standards. It would, further, authorize the Agency to adopt an \$18 million relief budget for the fiscal year ending 30 June 1954, and to allocate any funds remaining for reintegration according to time schedules deemed appropriate. The draft resolution would request that negotiations regarding contributions for the programme should be carried out with Member and non-member States by the Negotiating Committee for Extra-Budgetary Funds.

The following amendments to the draft resolution were submitted:

(1) An amendment by El Salvador (A/AC.61/L.2) which would add at the end of the operative part a fourth paragraph reiterating gratitude to the voluntary agencies of various countries, and specially of the United States, for their co-operation and requesting them to continue their effective, humanitarian assistance.

(2) An amendment by the Philippines (A/AC.61/L.3) which would add, after the Salvadorian amendment, a paragraph expressing appreciation of the collaboration of the specialized agencies and the hope that such collaboration would continue.

The Committee decided, at the suggestion of the United States and with the agreement of El Salvador and the Philippines, to include in the record a statement by the Chairman on behalf of the Committee expressing its appreciation for the close collaboration of the specialized agencies and the hope that it would continue in increasing measure. The Committee also reiterated its gratitude to the numerous voluntary agencies, mostly religious agencies of various countries, which on their own initiative had co-operated with UNRWAPRNE. It urgently requested them to continue their effective, humanitarian assistance which the civilized world needed, profoundly appreciated and whole-heartedly commended. Thereupon the representatives of El Salvador and the Philippines withdrew their amendments.

Opening the debate, the representative of the United States paid tribute to the work of the Agency stating that in the past year it had housed, fed and clothed more than 800,000 refugees scattered over more than 100,000 square miles. It had made progress with large-scale, long-range projects which would mean work and wages for thousands now on relief. He agreed with the Director's report that widespread projects to enable the refugees to live by their own efforts should be sought. The United States, he said, had contributed \$110 million to the \$250 million programme so far and the Executive Branch was ready to ask Congress for more funds, on condition that other nations should meet a fair share of the cost.

He said that the Agency's three-year programme of diminishing relief and expanding development had thus far not been achieved and the relief budget for the current year would have to be increased beyond the \$18 million set at the Assembly's sixth session and therefore adjustments within the \$250 million programme would be necessary for the coming fiscal year. The joint draft resolution, he said, provided for the \$23 million budget proposed by the Agency but also allowed for flexibility permitting the Agency either to exceed the figure or to reduce expenditure if unexpected economies could be effected. By contrast it proposed a definite figure for the relief budget for the fiscal year 1954. It did not provide for the revision of that figure by the Agency since the Assembly could review it at its eighth session. The lesser figure for 1954 however, he emphasized, did not mean that less would be done for the refugees that year. On the other hand, more would be done in other helpful ways.

The representative of the United States expressed his Government's hope that before the next Assembly the capital funds available would have been utilized on programmes of economic development on a co-operative basis. As more and more work was found for refugees on such programmes, wages would replace relief and they would move forward as self-supporting members of the community.

Reiterating the need for increasing the relief budget, the representative of the United Kingdom stated that the programme had suffered a set-back for unavoidable reasons but that there was no need for disappointment. His Government's belief in the programme, he said, was indicated by its willingness to contribute \$15 million during the current year towards its realization.

The representative of Turkey stated that his country's concern for the refugees had been demonstrated by the contributions it had made either directly to UNRWAPRNE or through the Turkish Red Crescent. But because of its preoccupation with its own refugee problem—the resettlement of refugees coming from Bulgaria—it did not have sufficient financial resources to make a formal commitment regarding its contribution for the current fiscal year. Consequently its sponsorship of the joint draft resolution should not be construed as a financial commitment.

The representative of France stated that in order to advance its work the Agency must settle its current budgetary problem. The draft resolution, he said, offered a practical solution. The \$23 million figure for relief for 1952-53 would be sup-

plemented by the \$2 million held in reserve from the previous year's budget. This would, he said, bring the relief budget up to \$25 million, a sum comparable to that actually spent for the previous year's operations.

The representative of Canada stated that, while the rehabilitation of refugees could not be accomplished without the active co-operation of all Members, those in a position to render the best assistance were the countries closest, both geographically and in other respects, to the refugees themselves. The Canadian Government had contributed over \$3 million to the relief of refugees but it was neither sound nor equitable for a few great Powers and a small number of other States to assume almost the entire financial responsibility for the United Nations undertaking. The generous impulses of some peoples, he said, might lose their warmth unless they were convinced that Member States as a whole were doing their share and that opportunities for rehabilitation and not mere relief were being offered to the victims of war.

The representatives of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen were united in the view that the report of the Director had painted an unduly rosy picture of the condition of refugees. They held that the refugees were inadequately housed, clothed and fed and that their health conditions were far from satisfactory. In this connexion, the representative of Yemen charged that ten per cent of them were suffering from tuberculosis. The representative of Lebanon said that there was an acute shortage of trained doctors, hospital beds and homes for orphaned children. He also referred to the lack of educational facilities for refugee children, of whom more than three quarters were receiving no schooling at all. The Lebanese Government was providing education to 12,000 refugee children even at the risk of depriving Lebanese children of the schooling they would normally receive. All these representatives expressed the view that the only effective way of dealing with the refugee situation was to repatriate them to their homes and to pay compensation to those not wishing to return, as laid down in previous Assembly resolutions.

Discussing specific problems, the representative of Egypt stated that the flexibility in handling funds which had been provided for in the joint draft resolution might make it possible to exceed the ceiling and provide refugees with a basic subsistence level. With this in view he expressed the hope that UNRWAPRNE's Director might be able to cut administrative costs to the minimum.

The representatives of Saudi Arabia and Lebanon referred to the per capita allowance of the refugees which, it was stated, was \$2.62 per month. In this connexion the representative of Lebanon stated that immigrants into Israel who were now being settled in the former homes of the refugees were receiving three times the assistance given to Arab refugees.

The representative of Iraq stated that it was the duty of the Assembly to compel Israel to yield for settlement by refugees territory it had occupied beyond that authorized by the General Assembly's partition plan and to implement provisions of Assembly resolutions on repatriation and compensation. He said that Israel could not legitimately claim compensation from Germany until it had complied with the obligation to pay compensation to Arab refugees.

The Secretary-General of the Arab Refugee Committee, invited by the Chairman at the suggestion of the representative of Iraq to make a statement, said that for three years, 1948, 1949 and 1950, the Committee had discussed the question of relief for refugees pending their repatriation. In 1951, however, it had added the question of resettling the refugees in the Arab countries, for which purpose it had allocated \$200 million. Despite the phrase "without prejudice to their right of repatriation" this meant nothing less than their permanent exile.

He said that the rents and proceeds from the abandoned properties of the refugees were estimated at £20 million, or about \$60 million a year, an amount which, if made available to the refugees by Israel, would release UNRWAPRNE from most of its responsibilities and the United States Congress from further payments.

The refugees, he said, complained of UNRWAPRNE's large international staff receiving high salaries although most of them were non-technicians and could be replaced by nationals at much lower salaries; the employment of foreign typists, secretaries, clerks, nurses and others while the unemployed nationals were starving was incomprehensible.

Turning to the rations given to the refugees, the Secretary-General of the Refugee Committee stated that they were receiving only 1,600 calories per day instead of the needed minimum of 2,200. Moreover, since the ration did not include meat or fresh vegetables, the refugee had to sell part of his flour ration to secure these, thus further reducing the calorific value of his diet to a dangerous level.

Only one third of the refugees, he said, lived in tents, the remainder living in miserable houses, mosques, caves and stables. Many of the camps were infested with insects and in most of them there were no public latrines or baths. Many of the refugees were in rags and the clothing supplied by UNRWAPRNE was what it got from philanthropic institutions. A family of eight was supplied with one blanket and a family of nine and over with two blankets. Health services were superficial, with only 75 doctors to serve 850,000 refugees. Only one half to two thirds of the children received even the most primitive education.

The Secretary-General of the Arab Refugee Committee also observed that the refugees were implacably against any form of resettlement except in Palestine. The return of every person to his fatherland, home and property, a principle decreed and guaranteed by the Universal Declaration of Human Rights, was, he said, fundamental. For the refugees, this had also been reaffirmed by the United Nations resolutions.

The representatives of Egypt, Iraq, Saudi Arabia and Yemen proposed orally that the four-Power draft resolution be modified to make \$27 million rather than \$23 million available for relief.

The representative of Israel, replying to some of the statements by Arab representatives, protested against the remarks of the representative of Iraq who, he said, had made a totally false and evil comparison between the alleged expulsion of the Arab refugees and the victimization of Jews by Hitler. Comments on treaty relations between Israel and the Federal Republic of Germany were also out of order, he declared. He said that the plight of Arab refugees was a direct consequence of the armed assault of Arab States on the mandated area of Palestine with the intent to frustrate the United Nations recommendation for the establishment of Israel. Therefore, neither the United Nations nor Israel could legitimately be made to bear the responsibility for the refugees; it was an essential function of the United Nations to assign this responsibility to those who had taken the initiative in using force.

Since the Arab States were responsible for the exodus of the refugees from Palestine, he stated, they should share with Israel in the efforts to help them through the three-year relief and reintegration programmes unanimously endorsed by the Assembly and concurred in by the Arab States as well as by Israel, precisely because the humanitarian problem had been isolated from its political context. He observed that, despite heavy strain on its economy aggravated by economic boycott and blockade by Arab Governments, Israel was aiding

the refugees. It had acceded to the Palestine Conciliation Commission's request for the progressive release of the refugee's blocked bank deposits. It had further responded to UNRWAPRNE's request by assuming full responsibility for the welfare and complete integration into Israel of 19,000 refugees, making possible a saving for the Agency of \$600,000 annually. Israel, he said, was the only country to comply with the Assembly's request to help to reduce the relief budget, despite the incredible drain on its economy caused by the absorption of some 750,000 immigrants, of whom 350,000 came from Arab countries.

The Arab policy, he continued, was to thwart the natural process of refugee integration. Given the normal affinities of the refugees for the peoples of the same language, culture and national sentiments among whom they were living, their social and economic absorption should not be difficult. Israel believed that the only just, merciful and practical solution of the refugee problem lay in resettlement in the Arab countries. The Conciliation Commission for Palestine had urged regional integration and had stated candidly that the assumption under which the Assembly had adopted its resolution of 11 December 1948 was no longer valid in the light of the real situation in the Middle East. Other countries also held this view, which, the representative of Israel considered, served to emphasize that repatriation would result in cultural conflict, economic adversity and a threat to the security of Israel.

Statements in support of the draft resolution were made by a number of representatives, including those of Argentina, Australia, Belgium, Brazil, Burma, China, Costa Rica, Cuba, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Mexico, the Netherlands and New Zealand.

The representative of Australia stated that the four-Power draft resolution might lead to a final settlement of the refugee problem and open the way to fruitful discussion of other differences between Arab States and Israel. He referred to an apparent reluctance to press on with resettlement, as well as to an attitude likely to inflate relief provisions at the expense of a more permanent solution. Should that come about, he said, it might well throw the whole programme out of balance and make it much more difficult for his country to continue to make contributions of any consequence, not because of any lack of sympathy with the plight of the refugees, but because the primary purpose would not be achieved and there would seem to be no end to it all. The representative of Australia expressed interest in a statement by the Minister of Construction and Development

of Jordan who had said, reportedly, that the economic potential of Jordan should be exploited while providing work for refugees who would then become a source of power, rather than of weakness.

The representative of Belgium suggested that UNRWAPRNE should purchase weaving equipment so that refugees could be gainfully employed and the clothing shortage met on the spot. He cautioned, however, that UNRWAPRNE should beware of glutting the labour market of the host countries and should move groups of refugees to areas where they could be more easily absorbed.

Some representatives, including those of Afghanistan, Argentina, Ethiopia, Costa Rica, Cuba, Haiti, Honduras, Liberia, Mexico, Peru and Uruguay, indicated that, while they would vote in favour of the draft resolution, their vote should not be construed to mean the willingness of their Governments to contribute to the programme.

The four-Power draft resolution was voted on at the 7th meeting of the Ad Hoc Political Committee and was adopted by 50 votes to none, with 7 abstentions.

The representative of Iraq stated that he had abstained from voting on the joint draft resolution because a document had just been brought to his notice explaining that the discriminatory policy practised against the refugees was that of a certain Power.

c. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

At its 391st plenary meeting on 6 November the General Assembly adopted without discussion the draft resolution submitted by the Ad Hoc Political Committee (A/2246) by 48 votes to none, with 6 abstentions.

In explanation of his vote, the representative of Iraq stated that he had abstained because the relief provided was inadequate to meet the sub-human conditions under which many of the refugees were living, and because the resolution would not correct those conditions. Further, his delegation felt that one of the Powers most instrumental in "causing this tragedy" viewed the refugees in a discriminatory way. It did not want them treated as human beings or as refugees of other races were treated, but recognized in their case a sub-human standard. The representative of

Syria stated that repatriation was the only way to save the refugees from their moral and physical stagnation and their unprecedented misery.

The representative of Israel said that Israel had voted in favour of the resolution and would do its best to contribute to the alleviation of suffering in the area. He, however, reiterated his earlier views regarding Arab responsibility for the plight of the refugees and said that their absorption into Arab society was the best remedy for the situation. Israel had absorbed thousands of refugees from abroad and if the Arab countries had the same attitude towards their own people the current situation would never have arisen.

The resolution 614(VII) adopted by the General Assembly 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 and 513 (VI) of 26 January 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 joint report of the Director and the Advisory Commission of the United Nations Relief and Works Agency,

"Noting that negotiations have taken place between the Agency and governments of Near Eastern countries under the programme approved in resolution 513 (VI),

"Having in mind the goals for the reduction of relief expenditure envisaged in the three-year \$US 250 million relief and reintegration programme, approved by the General Assembly in its resolution 513 (VI) without prejudice to the provisions of paragraph 11 of resolution 194 (III) or to the provisions of paragraph 4 of resolution 393 (V) relative to reintegration either by repatriation or resettlement,

"Recognizing that immediate realization of these goals has not proved possible and that increased relief expenditures are therefore required, with a resultant reduction in the reintegration funds,

"1. Authorizes the United Nations Relief and Works Agency for Palestine Refugees in the Near East to increase the budget for relief to \$23 million for the fiscal year ending 30 June 1953 and to make such further adjustments as it may deem necessary to maintain adequate standards; and to adopt a budget for relief of \$18 million for the fiscal year ending 30 June 1954 which shall be subject to review at the eighth session of the General Assembly;

"2. Authorizes the United Nations Relief and Works Agency to allocate funds remaining for reintegration according to time schedules deemed appropriate up to 30 June 1954;

"3. Requests that negotiations regarding contributions for the programme be carried out with Member and non-member States by the Negotiating Committee for Extra-Budgetary Funds."

D. THE QUESTION OF ERITREA⁶⁵

On 2 December 1950 the General Assembly adopted resolution 390 A (V), recommending that the former Italian colony of Eritrea should be an autonomous unit, federated with Ethiopia under the sovereignty of the Ethiopian Crown. In 1952 the General Assembly's resolution was finally implemented.

1. Report of the United Nations Commissioner in Eritrea

The United Nations Commissioner submitted, to the seventh session of the Assembly, his final report (A/2188) dated 17 October 1952, covering the whole of his mission. This report supplemented the progress report submitted to the General Assembly at its sixth session (A/1959 and Add.1).⁶⁶

Describing the general developments subsequent to the drafting of the progress report, the United Nations Commissioner stated that in November and December 1951 he held discussions in Geneva with a panel of legal consultants formed at his request to formulate opinions on certain general principles and legal questions which had arisen in the course of his work. These questions concerned the various problems of international and constitutional law raised by the Assembly resolution, such as the legal obligations of Members of the United Nations arising from the resolution, the delimitation of the duties of the Commissioner, the application of the resolution after the entry into force of the Federal Act and the Eritrean Constitution, the legal interpretation of the sovereignty of the Ethiopian Crown, the provisions of the Federal Act concerning human rights, and the question whether the Constitution could include provisions safeguarding institutions, traditions, religions and languages of the inhabitants of Eritrea.

In January and February 1952, the Commissioner met with a second panel of legal consultants with whose collaboration he prepared a provisional draft Constitution. This draft, the report stated, became the main subject of consultations held in March and April with the Administering Authorities and the Ethiopian Court. These consultations, the report stated, resulted in the drafting of a text, dated 22 April 1952, which was acceptable to the parties concerned.

Meanwhile, the Administering Authority, in consultation with the Commissioner, made arrangements for and convoked a Representative Assem-

bly of Eritreans chosen by the people. The elections were carried out in two stages, with delegates first being elected to electoral colleges, according to customary methods, and then the members of the Assembly being selected by those colleges by secret ballot. In the towns of Asmara and Massawa only, direct elections were held in a single stage, by secret ballot. The elections to the Representative Assembly, the first ever held in Eritrea, took place on 25 and 26 March 1952. The results were as follows:

Unionist and Liberal Unionist parties	32
Democratic and Independent Front (Moslem League and other parties of the Front)	18
Moslem League of the Western Province	14
National Party	1
Independent Moslem League	1
Total	66

In addition, a representative from the Democratic Front and a member of the Moslem League of the Western Province were elected by second ballot (indirect election) on 12 May 1952, thus amending the foregoing figures to 19 for the Democratic Front and 15 for the Moslem League of the Western Province. Christian and Moslem representatives were equal in number.

On 28 April the Representative Assembly convened for the first time. Opening statements were delivered by the Chief Administrator, the United Nations Commissioner and the Representative of the Emperor of Ethiopia.

On 3 May the Commissioner presented the draft Constitution to the Assembly, stressing the importance of equal respect for the two fundamental principles of the General Assembly resolution: Eritrean autonomy and the sovereignty of the Ethiopian Crown. The Representative Assembly considered the draft Constitution during 40 meetings between 12 May and 10 July 1952. On 14 May it unanimously adopted article 1 concerning the adoption and ratification of the Federal Act, which consisted of paragraphs 1 to 7 inclusive of the General Assembly's resolution 390 A (V). During the next two months, each article of the draft Constitution, explained personally by the Commissioner, was considered.

Giving a detailed analysis of the discussions in the Representative Assembly, the report stated that problems relating to the Assembly itself (such

⁶⁵ For previous consideration see Y.U.N., 1948-49, pp. 256-79, Y.U.N., 1950, pp. 363-70 and Y.U.N., 1951, pp. 277-85.

⁶⁶ For summary of the report see Y.U.N., 1951, pp. 277-79.

as the establishment of a single chamber, the term of four years, the arrangement of the sessions and the necessary quorum) generally did not give rise to serious difficulties. However, certain questions not dealt with, or merely touched on, during the consultations, gave rise to important discussions, e.g., the status of Eritrea; nationality (and rights of federal nationals), citizenship and the electorate; special rights of the various population groups of Eritrea; and communities with local authority.

Both in the consultations held by the Commissioner and in the proceedings of the Representative Assembly, several other questions aroused controversy, e.g., the election of the Chief Executive, the representation of the Emperor in Eritrea and the symbols of the Federation and of Eritrea.

On 2 July 1952 the Assembly adopted the article relating to the symbols of Eritrea which should be decided upon by law.

On 10 July the amended Constitution was unanimously adopted as a whole.

The Eritrean Constitution establishes a democratic form of government which might be termed as semi-presidential. The initial article is an undertaking on the part of the Eritrean people to observe faithfully the provisions of the Federal Act as laid down in General Assembly resolution 390 A (V). The Constitution defines the status of Eritrea as an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown. On the basis of reciprocity, nationals of the Federation who are not Eritrean citizens are to enjoy the same rights as Eritrean citizens. The Constitution also provides safeguards for the institutions, traditions, religions and languages of the inhabitants of Eritrea.

Under the Constitution, Eritrea has a unicameral legislature of not less than 50 and not more than 70 members elected for periods of four years by direct or indirect ballot. The Assembly votes the laws and the budget, elects the Chief Executive and supervises his activities. An Auditor-General, elected by the Assembly and independent of the Executive, examines and reports on the annual accounts.

The Constitution provides that the representative of the Emperor shall have the right to request reconsideration of Eritrean draft laws if he considers that they encroach upon federal jurisdiction or involve the international responsibility of the Federation.

Following such a request, the Assembly, after reconsideration of the draft law, may adopt it by a two-thirds majority.

The federal flag (that of Ethiopia) is to be respected in Eritrea, which is, nevertheless, to have its own flag, seal and arms.

The various population groups in Eritrea, both nationals of the Federation and foreign nationals, are to have the right to respect for their customs and their own legislation governing personal status and legal capacity. Property and other rights of real nature of the various population groups are not to be impaired by any discriminatory law.

Eritrea has an independent judiciary, judicial power being exercised by a Supreme Court whose jurisdiction includes disputes concerning the constitutionality of laws.

The Constitution can be amended by a majority of three quarters of the Assembly. Amendments not in accordance with the Federal Act cannot be introduced. They enter into effect after ratification by the Emperor.

The Constitution contains transitional provisions for the orderly transfer of power from the Administering Authority to the Government of Eritrea upon entry into effect of the Constitution.

In accordance with the provisions of paragraph 14 of resolution 390 (V), the United Nations Commissioner approved this Constitution on 6 August and transmitted the legal instrument to the Chairman of the Eritrean Assembly. On 11 August 1952 at Addis Ababa, the Emperor of Ethiopia during a formal ceremony, attended by the United Nations Commissioner, ratified the Constitution which could not enter into force, however, until the ratification of the Federal Act.

During the period between the adoption of the Constitution and its entry into effect, the Administering Authority and the United Nations Commissioner prepared and transmitted to the Executive Committee (a transitional body established by the Administering Authority under article 97 of the Constitution) the drafts of certain organic laws necessary to implement the Constitution immediately upon the transfer of powers. These included drafts for proclamation to be issued by the British Administration in Eritrea on the Administration of Justice, the Eritrean Function of Government Act, the Eritrean Electoral Act, the Eritrean Budget Act, the Eritrean Audit Act, the Eritrean Advisory Council Act and the Eritrean Civil Service Act. On 28 August, Ato Tedla Bairu was elected Chief of the Executive and Cheik Mohamed Mussa Radai, Chairman of the Eritrean Assembly.

The Federation of Eritrea with Ethiopia was formally established on 11 September 1952, when the Emperor ratified the Federal Act. On 15

September the Administering Power formally handed over the Administration to the Federal and Eritrean Governments.

On that day the Representative Assembly adopted the final design of the Eritrean flag: azure background with a green olive wreath in the centre and an olive branch in the middle of the wreath. The Ethiopian currency became effective in Eritrea on 16 September at the rate of seven Ethiopian dollars to £1 (sterling).

2. Consideration by the General Assembly at its Seventh Session

The General Assembly at its 380th plenary meeting, held on 16 October 1952, decided to include in its agenda the report of the United Nations Commissioner in Eritrea and at its 382nd meeting referred it to the Ad Hoc Political Committee, which considered it at its 40th and 41st meetings, held on 11 and 12 December 1952.

The Chairman of the Ad Hoc Political Committee invited the United Nations Commissioner in Eritrea to make a statement. The representative of Italy, who had submitted to the Secretary-General a request (A/AC.61/L.4) to take part in the discussion on the item, was also invited to participate in the discussion.

In his statement, the United Nations Commissioner underlined the importance of resolution 390 (V) by which the General Assembly had solved the deadlocked Eritrean problem. The implementation of that resolution, he said, had raised racial, linguistic and religious problems which had been increased by the very divergent programmes of the political parties. However, the establishment of the Federation, recommended by the United Nations, had satisfied both those in favour of union with Ethiopia and those in favour of independence. The resolution of December 1950, he observed, was a new type of decision in the history of the United Nations. For the first time, the Assembly had appointed a Commissioner who was responsible for ensuring that the resolution was carried out without the assistance of a council composed of Member States. For the first time, too, the General Assembly had drawn up the statute for a federation and had laid down the principles on which the Constitution of one of the members of that federation should rest.

The United Nations Commissioner paid a tribute to the sincere desire for co-operation displayed by the governments concerned and the goodwill and respect for the Assembly's decisions shown by the inhabitants of Eritrea.

The Commissioner then described his successive consultations with the Administering Authority, with the Government of Ethiopia and with the Eritrean population.

Since he had had differences of opinion with the governments concerned and various population groups concerning the interpretation of certain fundamental principles of the General Assembly's resolution, the Commissioner had decided to seek the opinion of a Panel of Legal Consultants appointed by the Secretary-General (see above).

Legal consultants had also helped him in drafting an Eritrean Constitution, in which the suggestions of the Ethiopian Government and the British Administration were taken into account without sacrificing the unity of the draft or the essential elements of the Assembly's resolution. For its part, the Eritrean Assembly had made a detailed study of the draft Constitution and several amendments had been adopted which had improved the text. All the articles of the draft Constitution had been adopted by the Eritrean Assembly by more than a two-thirds majority and the chapter on human rights had been adopted by acclamation. The Constitution as a whole had been approved unanimously.

The United Nations Commissioner pointed out that in the economic field Eritrea would have to continue receiving the assistance afforded it in the past. That was a great responsibility which the Federal Government would have to discharge fairly and with respect for Eritrean autonomy, since without economic and financial autonomy political and legal autonomy could become illusory.

The Commissioner emphasized the confidence shown in the Ethiopian Government by the United Nations. The Ethiopian Government had freely assumed, especially in the international sphere, heavy responsibilities, one of the most important of which was the maintenance of the Federation's integrity, which might be threatened either by a secession movement or by annexation to Ethiopia. The United Nations Commissioner concluded by paying tribute to the Eritrean people who, by accepting the General Assembly's resolution, had forgotten the disputes of the past to turn to the future in a spirit of co-operation and fraternity. The Federation of Eritrea and Ethiopia under the Ethiopian Crown had, he announced, become a reality on 15 September 1952.

Presenting his Government's report (A/2233) on its administration of Eritrea for the period from December 1950 to September 1952, the representative of the United Kingdom described the difficulties which the British Government had

faced in carrying out its responsibilities under the Assembly's resolution. The people of Eritrea, he said, had been divided into three rival groups, one advocating union with Ethiopia, the second independence and the third partition. No group had suggested federation. The fact that the various factions had finally become reconciled and had accepted the federal solution was evidence of the good sense and understanding of the people of Eritrea. Nevertheless, political and racial cleavage was too deep-rooted to disappear completely. Inexpert handling of political affairs or revival of intolerance could restore hostility and once again divide the countries.

The British Administration had next had to give special attention to the problem of security and had taken action to eliminate the menace of organized bandit groups known as Shiftas. It considered its handling of the Shifta problem as one of its most important achievements.

While, under resolution 390(V), the preparation of the Eritrean Constitution was the primary responsibility of the United Nations Commissioner, initiative in all other matters had rested with the British Administration, especially for the organization of an Eritrean Administration and the convocation of a Representative Assembly of Eritreans. A simplification of the administrative machinery and special methods of recruitment and training had made it possible to obtain an Administration consisting 96 per cent of Eritreans. The new Administration would obviously be inexperienced for some time, but the presence of foreign advisers and technicians would assist it in making necessary progress. To convoke a Representative Assembly of Eritreans, the British Administration had organized general free elections throughout the territory. This was the first time in Eritrean history that a general election had been held. The voters had gone to the polls enthusiastically and the Assembly might be regarded as truly representative of the people. The equal distribution of seats between Christians and Moslems had caused all fears of supremacy of one group to disappear.

As to public finance, the United Kingdom representative said, the British Administration had left Eritrea a balanced budget. Such a budget was absolutely necessary in order to ensure the independence of the new government. But the financial and economic resources of the country were limited and Eritrea hoped to be able to obtain Point Four aid from the United States and assistance from the United Nations specialized agencies. The representative of the United Kingdom underlined that the economic needs of Eritrea required care-

ful study. If it were not federated with Ethiopia, Eritrea would not be economically viable. The effect of any measure in the economic field would need to be watched by the Federal Authorities as well as by the Eritrean Government since economic difficulties could bring political trouble. In conclusion, he stated that the federal solution might or might not be ideal, but it had been accepted by the people of Eritrea and had brought about unity in the country. The Federation had come into being in an excellent atmosphere. He expressed his Government's wish that Eritrea would achieve happiness and prosperity under the wise guidance of the Emperor.

The Foreign Minister of Ethiopia expressed, on behalf of his sovereign and of the Ethiopian and Eritrean peoples, the satisfaction with which they had greeted the entry into force of the Federation of Eritrea. He congratulated all those who had participated in this great achievement. He emphasized, however, that without the personal intervention of the Emperor of Ethiopia and the sacrifices made by that country, the Federation of Eritrea and Ethiopia could never have been achieved. It had been necessary to prepare the populations to accept the federal solution proposed by the Assembly; close co-operation had been achieved between the United Nations Commissioner and the Ethiopian Government on this question and the Emperor of Ethiopia, himself, had appealed directly to the people to support unreservedly the idea of federation. The Eritrean Constitution, the Ethiopian representative stated, had to respect Eritrean independence strictly, while allowing for the responsibilities that the Ethiopian Government was to assume with regard to Federal services. In every respect, the Ethiopian Government wished to promote the well-being of Eritrea in full accordance with the provisions of the Federal Act. It had already demonstrated its desire to see minority parties participate in the executive; it had urged the protection of human rights by the Constitution and expressed its wish that all Eritreans should enjoy all the privileges of Ethiopian citizens with no obligations other than those resulting from the Federation. The Ethiopian Government had supplied the Eritrean Government unconditionally with the working capital it needed and made it a gift of considerable stocks of equipment. The Federation was prepared to ensure the balance of payments in Eritrea which had always shown a deficit. As for foreign enterprises, especially Italian enterprises, the Ethiopian Government intended that they should be enabled to continue their useful work under the federal system. The Italians were welcome in the

Federation as friends. The representative of Ethiopia stated in conclusion that peace and security were now ensured in East Africa. He felt sure that all the inhabitants of Eritrea and Ethiopia would, under the liberal and enlightened guidance of the Emperor, march together along the path of peace and progress.

The representative of Italy thanked the Committee for the opportunity he had been given to express his Government's appraisal of a particularly important United Nations achievement. The Italian Government was sure that the system of federation was the only solution which could ensure close association between Ethiopia and Eritrea, while safeguarding the ethnic and social characteristics and economic interests of the two countries. It had therefore given its full and unreserved support to the principle of federation. Long years of association between Italy and Eritrea had created lasting ties between those countries. The Italian Government wished to see the Italians in Eritrea play an effective part in the Federation as an element of friendship and co-operation between Italy and Ethiopia. In that connexion, he had noted with satisfaction the formal assurances given by the Ethiopian representative concerning the Italian community in Eritrea and its economic activity. It was obvious that certain questions raised by the new federal structure still remained to be solved. For instance, the economic structure of Eritrea had entered a delicate phase as a result of its union with Ethiopia. The Italian Government therefore hoped that the United Nations and its specialized agencies would give Eritrea the financial and technical assistance it required.

The representative of the United States introduced a joint draft resolution (A/AC.61/L.34), sponsored by Brazil, Burma, Canada, Denmark, Ecuador, Greece, Liberia, Mexico, Panama, Paraguay, Peru, Turkey and the United States, welcoming the establishment of the Federation of Eritrea with Ethiopia under the sovereignty of the Ethiopian Crown and congratulating the people and governmental authorities of the Federation for the effective and loyal fulfilment of the General Assembly's resolution 390 A (V).

At the 41st meeting on 12 December 1952, the representatives of Afghanistan, Argentina, Australia, Belgium, Brazil, Burma, China, Chile, Cuba, the Dominican Republic, Egypt, El Salvador, France, Greece, India, Israel, Liberia, the Netherlands, New Zealand, Nicaragua, Pakistan, Panama, the Philippines, the Union of South Africa and Uruguay spoke in favour of the joint draft resolution, which was adopted by 52 votes to none, with 5 abstentions. At its 404th plenary meeting on 17 December 1952, the General Assembly adopted, without debate, by 51 votes to none, with 5 abstentions, the draft resolution recommended by the Ad Hoc Political Committee in its report (A/-2313).

The resolution (617 (VII)) read:

"The General Assembly,

"Recalling its resolution 390 A (V) of 2 December 1950, providing that Eritrea be constituted an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown,

"Having noted the adoption and ratification of the Eritrean Constitution and the ratification of the Federal Act embodying the provisions contained in paragraphs 1-7 inclusive of that resolution,

"Having noted that the conditions laid down in paragraph 13 of resolution 390 A (V) of 2 December 1950 have been fulfilled, and that on 11 September 1952 the Federation of Eritrea with Ethiopia was proclaimed,

"Noting further the final report of the United Nations Commissioner in Eritrea of 17 October 1952 and the report of the Administering Authority of 27 October 1952,

"Noting with appreciation the part played by the United Nations Commissioner and the former Administering Authority in Eritrea in preparing Eritrea to take its place in the Federation,

"Noting also with satisfaction the contribution made by Ethiopia to the establishment of the Federation and Ethiopia's expression of determination scrupulously to execute the provisions of the Federal Act,

"1. Welcomes the establishment of the Federation of Eritrea with Ethiopia under the sovereignty of the Ethiopian Crown;

"2. Congratulates the people and governmental authorities of the Federation for their effective and loyal fulfilment of resolution 390 A (V) of the General Assembly of 2 December 1950."

E. THE TUNISIAN QUESTION

1. Consideration by the Security Council

On 31 March 1952, at the request of Pakistan, communications from the Tunisian Government were circulated as a Security Council document (S/2571).

In the first, dated 12 January 1952, the Prime Minister of Tunisia stated that the domestic sovereignty of the Bey had been maintained intact under the Treaty of Bardo of 1881, by which the French Government had been au-

thorized provisionally to occupy certain points in Tunisia. The French authorities, however, had established a system of direct administration in Tunisia which had led to constant unrest. To remedy that state of affairs, the French Government had undertaken to abandon direct administration and to permit the development of Tunisian political institutions to the point of internal autonomy. On that basis, the Bey had entrusted the Prime Minister, in August 1950, with the task of forming a "Ministry for negotiations to lead Tunisia to internal autonomy". After long and difficult negotiations it had become apparent, the communication stated, that the position of the French Government, including insistence on the participation of French citizens in Tunisia, a foreign colony, in that country's political institutions, was contrary to the Treaty of Bardo.

The Tunisian Government considered that the situation created a dispute which it had proved impossible to settle by direct negotiation and felt that the attitude of the French Government was likely to prejudice the development of "friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples", as provided for in Article 1, paragraph 2, of the Charter. It had, therefore, brought the dispute before the Security Council in accordance with Article 35,⁶⁷ paragraph 2, which provides that non-member States may bring before the Council disputes to which they are parties provided they accept for the purposes of the dispute the obligations of pacific settlement provided in the Charter.

Subsequent communications (S/2571) of the Tunisian representatives stated, among other things, that the French authorities had exerted pressure on the Tunisian sovereign to disavow his Government's approach to the Council; that there had been serious incidents marked by death and injuries; and that the French authorities were arbitrarily arresting political leaders in order to stifle the aspirations of the Tunisian people.

In letters dated 2 April 1952 (S/2574-S/2584), Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Pakistan, the Philippines, Saudi Arabia and Yemen brought the situation in Tunisia to the attention of the Security Council under Article 35, paragraph 1, of the Charter. They stated that, since the Tunisian application of 12 January, the Prime Minister and other Ministers of the Tunisian Government had been arrested and the deteriorating situation was seriously endangering the maintenance of international peace and security, thereby falling within

the scope of Article 34 of the Charter.⁶⁸ Accordingly, they requested the Council to consider the matter urgently.

The representatives of these countries, except Burma and Pakistan, requested that they be called upon, in accordance with the rules of procedure, to participate in the discussion. Explanatory notes submitted with those letters reviewed relations between Tunisia and France and stated that the French Government's violation of the 1881 Treaty had deprived the people of Tunisia of their right to self-government and self-determination. The notes stated that in Asian and African countries it was keenly felt that the domination of weak nations by colonial Powers had no moral justification and was contrary to the spirit of the times.

At its 574th, 575th and 576th meetings on 4, 10 and 14 April the Security Council considered the question of including the item in the agenda.

The representative of France said that the Tunisian application of 12 January was not receivable under the Charter and was invalid because the Bey's seal had not been attached. Moreover, if the governments which had been approached by the representatives of Tunisia had made it clear that they could not take cognizance of a matter which did not threaten their own security or peace in general, the French and Tunisian authorities would more quickly have found a common ground for the necessary agreements. Several weeks previously it might have been argued that there was a domestic dispute, not between France and Tunisia, but between the Residency General and certain Ministers. Following the agreement between the Bey and the Resident General, however, the Council could only note that any situation or dispute that might have existed had disappeared. The only thing which could reopen the matter would be a decision by the Council implying that the problem still existed.

The representative of France said that the Resident General's decision concerning the former Ministers had been based primarily on the need to ensure, in his conversations with the Bey, an atmosphere without constraint. The higher French responsibilities under the Regency had been exercised because it was impossible to leave

⁶⁷ For text of Article 35, see p. 13.

⁶⁸ Article 34 provides for investigation by the Council of disputes and situations to determine whether their continuance is likely to endanger international peace and security. Article 35, paragraph 1, provides that any United Nations Member may bring such disputes and situations before the Council.

in power men who for several months had paralysed the entire administrative machine through inefficiency and by encouraging every kind of breach of the peace. France had displayed its goodwill, constructive desire for conciliation and sincerity. The plan of reforms which had been presented to the Bey went beyond all the legitimate aspirations of Tunisian nationalism and did not bring into question the Bey's sovereignty. It provided for the establishment of assemblies representing all the interests in the country and sought, through freely conducted negotiations, to reconcile continued French co-operation with the necessary growth of the Tunisian people's participation in and responsibility for the conduct of its own affairs. The Bey had given his consent to the programme of negotiations and reforms and had instructed an independent and respected person to form a new government. The calm situation in Tunisia proved that the people had heeded the Bey's appeal that they should follow the new path which had been opened to them, in peace and with respect for public order.

The representative of France added that the eleven Powers had chosen to disregard the existing situation and had presented a sketchy, inaccurate and tendentious picture of the past, reducing their communications to the status of a propaganda instrument.

The President of the Council, speaking as the representative of Pakistan, protested against that charge. He pointed out that article 2 of the Treaty of 1881 provided that French military occupation would cease when the French and Tunisian authorities had agreed that the local administration was able to maintain order. Since that time, he stated, the protectorate had gradually deprived a free country of its freedom. A policy of peopling Tunisia with French settlers had been pursued and the best land had passed into the hands of colonists. The Tunisian nationalist movement, which had become increasingly dynamic in the twentieth century, had met with the opposition of foreign vested interests and the short-sighted use of force by the colonial Power. The hopes created by the reforms of 1950 had been completely destroyed by French vested interests in Tunisia. The Tunisian Cabinet, which had been formed to negotiate with the French Government for the restoration of Tunisian autonomy, had been made ineffectual by the intrigues of French settlers and by interference in the day-to-day work of the Tunisian Ministers.

On 15 January 1952, the representative of Pakistan continued, after the submission of the

Tunisian application to the Security Council, the Resident General had demanded that the complaint should be withdrawn, that the Cabinet should be changed and that the Resident General should be appointed as Minister for Foreign Affairs and General Garbay as Minister of Defence. On being instructed by the Bey to reply, the Prime Minister had stated that he had been authorized by the Bey to bring the complaint to the United Nations. On 24 March the Resident General had informed the Bey that the French Government was prepared to resume negotiations, on condition that the Cabinet would be dismissed and the complaint withdrawn. When the Bey had refused, the Resident General had produced a document signed by the Minister for Foreign Affairs for France, giving him full powers to re-establish law and order and to protect French interests. The Bey had cabled the President of the French Republic, drawing attention to the pressure exerted by the Resident General and demanding his recall. That night hundreds of persons, including the Tunisian Prime Minister and other Ministers, had been arrested, all nationalist newspapers had been suppressed, martial law had been applied and the Bey's palace had been surrounded by troops. After a private interview the following morning, the Resident General had declared that the Bey had consented that a decree be issued in the Bey's name. A new Prime Minister had been appointed who had no very great following and, up to that time, had not been able to form a Cabinet.

The eleven Powers, the representative of Pakistan stated, were not making any extreme demands, but simply asking the Security Council to discuss the question. Failure to include the item in the agenda would lay the foundations for the suppression of free discussion in the United Nations.

The representative of France, in reply, stated that the representative of Pakistan had dealt with a number of questions irrelevant to the consideration of the agenda and that his comments on France's achievements in Tunisia had been partial, unjust and inaccurate.

The representative of the United Kingdom considered that a satisfactory solution of the problem was likely to result only from peaceful negotiations between France and Tunisia, which should be continued. The new Prime Minister was a highly respected figure in Tunisia; the Bey was prepared to negotiate and the French Government had made concrete suggestions for a plan of reform which would lead Tunisia towards

internal autonomy. He doubted if discussions in the Security Council could assist a peaceful solution and avoid further inflaming passions. Moreover, the matter appeared to fall within France's domestic jurisdiction and the Council was therefore barred from intervening by Article 2, paragraph 7, of the Charter. For these reasons, he said, he would vote against the adoption of the agenda.

The representatives of Greece, the Netherlands, Turkey and the United States said that they would abstain when the provisional agenda was put to the vote. While endorsing the principle that it was the task of the Council to examine situations which might lead to international friction, they stressed that there were still possibilities that the parties might by direct negotiations reach a fair agreement and that it would be better that such negotiations should be continued than that debates should be held in the Council which might make those negotiations more difficult. The representatives of the Netherlands and Turkey reserved their position on the question of the Council's competence.

The representative of the United States said that, while his Government had always considered that the organs of the United Nations should be available for examining any problems which caused serious friction in international relations, under the Charter the parties to a controversy were obliged first to seek a solution by negotiation. The United States did not wish to pass judgment upon the most recent developments in Tunisia; however, it could not condone the use of force by either party. The French programme appeared to constitute a basis for resumption of negotiations for the establishment of home rule in Tunisia, and it was fervently hoped that France would bring about far-sighted and genuine reforms. So that, without dealing with the question of the Council's competence, he would abstain on the question of including the item in the agenda. His Government would reassess the situation if a Member again brought the question before the Council.

The representatives of Brazil, Chile, China and the USSR considered that the item should be included in the Council's agenda. The first three of these representatives supported the inclusion of the item without prejudice to the merits of the case or to the Council's competence. They emphasized the number and importance of the countries which regarded the situation as a danger to peace and felt that this in itself deserved the Council's attention. Rejection of the request of the eleven Powers, it was stated, would be a

denial of justice and would accentuate divisions based on differences of race and economic and social development. It might have an unfavourable effect in Tunisia and throughout Asia and Africa.

The representative of Brazil considered that it might be preferable to postpone consideration of the item after its inclusion in the agenda, since the parties had not yet exhausted peaceful means for settling the dispute. The representative of China said that if the agenda could not be adopted the second best course would be to postpone a decision on its adoption.

The representative of the USSR said that Tunisia was a Non-Self-Governing Territory in regard to which France had the obligation, under Article 73 of the Charter, to promote to the utmost the well-being of the inhabitants, to develop self-government and to assist in the progressive development of free political institutions. The appeal of the eleven Powers had indicated that the French Government, by pursuing an undemocratic policy in Tunisia and by repressing the national liberation movement, had created a situation endangering the maintenance of international peace and security. It was the duty of the Security Council to investigate the situation, to hear both sides, and to take the necessary action. However, the representatives of France and the United Kingdom opposed the inclusion of the question in the Council's agenda and the United States representative, who had stated his intention of abstaining, would in effect be voting against the item's inclusion since his abstention would make it impossible to muster the seven necessary votes. These three representatives were, thus, not only opposed to a just settlement of the Tunisian question but did not even want to discuss the matter in the Council, despite the request submitted by eleven States and supported by a number of Council members. That was a reflection of the imperialist policy of the colonial Powers towards dependent countries and showed once again to the peoples of the world, and above all to those of Asia and Africa, that the ruling circles in the United States, the United Kingdom and France were trampling on the legitimate rights of Members of the United Nations and were attempting to convert the Organization into an instrument of aggressive policy and to use it to suppress national liberation movements in colonial and dependent countries. He supported the appeal of the eleven States and considered that all of them which had so requested should be allowed to address the Council.

On 10 April, the President informed the Council that he had received letters from the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, the Philippines, Saudi Arabia and Yemen rejecting the French representative's allegations concerning their intentions and motives in sponsoring the Tunisian case. Those representatives, with the exception of Burma, hoped that the Council would permit them to reply to the charges.

On 14 April, Pakistan submitted a draft resolution (S/2598) providing that the Security Council should invite those representatives to take part in the proceedings of the Council for that purpose.

At the same meeting, the representative of Chile stated that it appeared that there would not be seven votes in favour of including the Tunisian question in the agenda. His delegation could not reconcile itself to that situation without making a last effort to safeguard the principles of freedom of discussion and equal rights for all Member States. Accordingly, he submitted a draft resolution (S/2600) by which the Council would: (1) include the eleven communications of 2 April in its agenda, on the understanding that such action would not imply any decision regarding the Council's competence to consider the substance of the question; and (2) postpone consideration of those communications. The representative of Chile expressed confidence that if, after a reasonable period of time, it became obvious that the situation had improved or was about to improve, the eleven Powers would not insist on the Council taking up the matter. They would ask for immediate consideration only if some new development made intervention by the United Nations a matter of urgency.

The draft resolution by Pakistan, the Chilean draft resolution and the provisional agenda were put to the vote on 14 April. Each received 5 votes in favour, 2 against (France, United Kingdom) and 4 abstentions (Greece, Netherlands, Turkey, United States). Having failed to obtain the requisite majority, the draft resolutions and the provisional agenda were not adopted.

2. Request for a Special Session of the General Assembly

By a letter dated 20 June 1952 (A/2137), addressed to the Secretary-General, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen called attention to the continuing gravity of the situation in Tunisia and re-

quested that a special session of the General Assembly be summoned. They pointed out that, since the Security Council had refused to admit the Tunisian question to its agenda, the Assembly was competent to consider the matter under Article 11, paragraph 2, of the Charter as a question relating to the maintenance of international peace and security.

In an accompanying explanatory memorandum, it was stated that, after the discussion in the Security Council in April 1952, civil liberties had not been restored and the expected negotiations had not materialized, because the acknowledged representatives of the Tunisian people were in prison or exile and the Bey was virtually a prisoner. It appeared, said the communication, that the French authorities, having failed to negotiate even with a Tunisian government of their own contrivance, were proposing to impose dubious reforms of their choice on the Tunisian people, and to back their implementation with military force. Since the friendly relations that could have existed between the French and the Tunisians were rapidly being destroyed, urgent consideration of the question was necessary.

On 20 June, in accordance with the Assembly's rules of procedure, the Secretary-General informed the other Members of the United Nations of the request for a special session and inquired whether they concurred in it. By 20 July, ten States (Bolivia, the Byelorussian SSR, China, Czechoslovakia, El Salvador, Guatemala, Poland, the Ukrainian SSR, the USSR and Yugoslavia) had given affirmative replies, so that the number of Members in favour of holding a special session was 23. Negative replies were received from 27 States (Australia, Belgium, Brazil, Canada, Colombia, Costa Rica, Cuba, Denmark, Ecuador, France, Greece, Haiti, Honduras, Iceland, Luxembourg, the Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Sweden, Turkey, the Union of South Africa, the United Kingdom, the United States, Uruguay). Two members (Ethiopia and Thailand) stated that they wished to abstain on the question. Accordingly, no special session was convened, since the required majority had not been obtained.

3. Consideration by the General Assembly at its Seventh Session

By a letter (A/2152), dated 30 July 1952, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen requested that the Tunisian question be included in the provisional

agenda of the seventh session of the General Assembly.

An accompanying explanatory memorandum stated that, as the situation in Tunisia continued to be serious, the question was being referred to the Assembly, in order that a just and peaceful settlement might be achieved.

When the General Committee considered the agenda of the seventh session, at its 79th meeting on 15 October, the representative of France protested against the accusations against France. He declared that his Government found the interference of the United Nations in matters which were exclusively within France's national jurisdiction wholly unacceptable and, accordingly, he would not take part in any discussion or in any vote on the inclusion of the item. The General Committee decided, without vote, to recommend that the Tunisian question be included in the agenda.

At its 380th plenary meeting on 16 October the Assembly decided to include the Tunisian question in the agenda of the seventh session and subsequently referred it to the First Committee.

During the opening general debate of the Assembly's seventh session, at the 392nd plenary meeting on 10 November 1952, the Minister for Foreign Affairs for France made a statement concerning both Tunisia and Morocco.⁶⁹ With respect to Tunisia, he said that the United Nations was excluded from discussing the question by the treaties between France and Tunisia and by the provisions of the United Nations Charter. The treaties, concluded between sovereign States, provided that the foreign relations of Tunisia could be conducted only within the framework provided for in the treaties, namely, through France. They also provided that reforms in Tunisia were to be effected in close and exclusive co-operation with France and on the initiative of France. The United Nations had not been given competence to revise treaties.

Furthermore, Article 2, paragraph 7, of the Charter provided that nothing contained in the Charter should authorize the United Nations to intervene in matters essentially within the domestic jurisdiction of any State or should require the Members to submit such matters to settlement under the Charter. The proviso contained in this Article—that the principle should not prejudice the application of enforcement measures under Chapter VII—was not applicable, since it could not reasonably be claimed that the situation in North Africa threatened international peace. Moreover, if the General Assembly were given

competence to deal with every matter referred to it, the country in which criticism was free and agitation easy would be more readily indicted than a country in which opposition was impossible. The Organization would, further, be overwhelmed by the weight of its responsibilities or by a storm of sterile recrimination.

The Minister for Foreign Affairs for France analysed the reciprocal rights and duties arising from the Treaty of Bardo of 1881 and the Convention of La Marsa of 1883. It was intended that any inequality arising from the difference of means and resources should progressively disappear, thus making room for a true partnership. He described the situation in Tunisia when the treaties were signed, and the advantages which Tunisia had derived from association with France. Tunisia had been transformed into a true State and had been helped in building up administrative bodies and public services adapted to modern requirements. Economic conditions had been greatly improved by such measures as the reorganization of the land tenure system, the modernization of agriculture, reforestation, water conservation, the development of hydro-electric power and the construction of ports and roads. These achievements had not been made only for the benefit of the French. For instance, 90 per cent of the farm land was owned by Tunisians. The indigenous population of Tunisia had trebled since 1880. The health conditions of the people had been greatly improved and a developing social legislation, modelled directly on that of France, was being put into effect. The technical and financial contributions of France had been decisive in developing mineral resources and establishing new industries. Educational facilities were being extended yearly, although in this field it had been necessary to start virtually from nothing.

France had undertaken the task of education and democratic initiation, as provided in the treaties, and was responsible for completing that task. Considerable strides had been made; others of even greater importance, were being prepared, and France was ready to discuss them with properly authorized representatives. It was, however, for France to determine the stages and pace of evolution in Tunisia. How could the United Nations, he asked, quite apart from legal considerations, define what reforms should be undertaken, by what stages and through what institutions? The political problem consisted basically of how to ensure for the future that the various elements of the population, each essential to the

⁶⁹ See also under The Question of Morocco.

life of the country, should be able to live and work together in peace and friendship. France would not allow herself to be ousted; the French Constitution stated that France would guide the peoples for whom it had assumed responsibility towards the freedom to govern themselves. With that objective, France had proposed reforms leading to internal self-government and extensive participation by the Tunisians in public affairs. As the reforms were tested, France would gradually give up her powers under the treaties. Although, unfortunately, some elements in Tunisia had preferred violence and intimidation to free understanding, it was not possible to give way to such methods.

The French Minister for Foreign Affairs said that it would be a serious mistake if territories still imperfectly developed were set up as independent States before they were able to meet the heavy responsibilities which that would imply. Premature independence would imperil the legitimate interests of France and of others, which France had undertaken to safeguard, as well as the further development of those territories. France was compelled to warn the Assembly against the consequences of interference. The Government of France could agree to discuss neither the principle nor the manner of such interference.

a. DISCUSSION IN THE FIRST COMMITTEE

The First Committee considered the Tunisian question at its 537th to 546th meetings, from 4 to 12 December 1952.

By a letter (A/C.1/737) dated 4 December, the representative of France informed the Chairman of the Committee that his delegation would be unable to participate in the discussion of the item. At the 537th meeting on 4 December, the representative of Iraq proposed that the Committee appeal to the representative of France to attend. The Chairman stated that he would transmit that appeal.

At the 541st meeting on 9 December, the representative of Pakistan submitted a proposal which, after revision (A/C.1/L.9), provided that the First Committee should: (1) express its regret at the absence of the French delegation and appeal to the Government of France to reconsider its decision; and (2) decide that the Bey of Tunis should be invited to depute his representative to participate in the debates, without the right of vote. At the 542nd meeting on 10 December, the Committee adopted the first paragraph of the Pakistan proposal by a roll-call vote of 19 to 16, with 22 abstentions. The second paragraph was rejected by a roll-call vote of 26

to 24, with 7 abstentions. It was then pointed out that the draft resolution constituted a whole, and that those who had voted in favour of the first part had done so in the hope that the second part would also be adopted. Accordingly, it was felt that a vote should be taken on the draft resolution as a whole. The resolution, minus the second paragraph, was then rejected by roll-call vote of 21 to 2, with 34 abstentions.

Two draft resolutions (A/C.1/736 and A/C.1/L.8) relating to further negotiations between the parties were presented to the Committee.

The first (A/C.1/736), submitted at the 537th meeting on 4 December by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, recalled the three applications of the Arab-Asian Powers to the United Nations to consider the question.

The remainder of this draft resolution would have the General Assembly, *inter alia*:

(1) refer to the Charter provisions concerning the equal rights of large and small nations and the development of friendly relations based on respect for the principle of equal rights and self-determination of peoples; (2) state that the continuance of the Tunisian situation was detrimental to those rights and purposes and also endangered international peace and security; (3) recall that Members shall refrain in their international relations from the threat or use of force; (4) urge France to establish normal conditions and civil liberties in Tunisia; and (5) recommend the renewal of negotiations between France and "true representatives" of the Tunisian people for the purpose of implementing the right of self-determination and the fulfilment of the national aspirations of the Tunisian people. The draft further proposed that the Assembly establish a commission of good offices to arrange and assist in the negotiations, ask the commission to report on progress and invite all concerned to give it their full co-operation. The Assembly would also decide to include the item in the agenda of its eighth session.

The second draft resolution (A/C.1/L.8) was submitted at the 539th meeting of the First Committee on 8 December by Brazil, Costa Rica, Cuba, Ecuador, Honduras, Panama, Paraguay, Peru, Nicaragua, Uruguay and Venezuela. It would, *inter alia*, have the Assembly:

(1) refer to the necessity of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples; (2) state that the United Nations as a centre for harmonizing the actions of nations in the attainment of their common ends under the Charter should strive towards removing causes and factors of misunderstanding among its Members; (3) express confidence that France would endeavour to further the effective development of the free institutions of the Tunisian people in pursuance of its proclaimed policies and in conformity with the Charter; (4) express the hope that the parties would continue negotiations on an urgent basis with a view

to bringing about Tunisian self-government in line with Charter provisions; and (5) appeal to the parties to conduct their disputes in accordance with the spirit of the Charter and refrain from measures likely to aggravate the current tension. (For text of resolution, as adopted, see below.)

The positions taken by the representatives participating in the debate fell, broadly speaking, into three main groups.

The first group, consisting of the representatives of Australia, Belgium, Luxembourg, the Netherlands, the Union of South Africa and the United Kingdom, questioned the competence of the General Assembly. Most of them argued that the Assembly was not competent to discuss the question; the Netherlands representative, however, considered that since the item had been admitted to the agenda the Committee might discuss it although he doubted whether the Assembly was entitled to intervene with particular political recommendations or particular executive actions.

Neither Tunisia nor the United Nations, these representatives considered, had ever objected to the action of the French Government in transmitting information to the Secretary-General in accordance with Article 73 of the United Nations Charter. Therefore the United Nations had consistently recognized the international status of Tunisia arising from valid treaties between Tunisia and France. Whether Tunisia was a sovereign State made no difference; the sovereignty was limited precisely by the treaty, which removed the relations between the two States from the international plane. What the authors of the first joint draft resolution (A/C.1/736) really recommended was revision of the treaties between France and Tunisia. The Charter of the United Nations, however, unlike the Covenant of the League of Nations, contained no provision giving that power. No organ of the United Nations could go beyond the limits of the authority which it derived from the specific provisions of the Charter. That principle had been confirmed in the advisory opinion (A/597) given by the International Court of Justice on 28 May 1948 concerning the conditions of admission of a State to membership in the United Nations.⁷⁰

Accordingly, these representatives held, the matter came within Article 2, paragraph 7, of the United Nations Charter which provides for the non-intervention of the Organization in matters "essentially" within the domestic jurisdiction of any State. The mere fact that a question was of international concern did not remove it from the sphere of domestic jurisdiction; for example, a country's trading and commercial policies, al-

though of great international concern, remained within its domestic jurisdiction except in so far as they were governed by specific treaties. It was also emphasized that the word "essentially" could not be interpreted as "solely", a proposal to substitute "solely" having been defeated at the San Francisco Conference. Therefore it could not be argued that a matter ceased to be essentially within the domestic jurisdiction of a State because some of its aspects were within the domestic jurisdiction of another State. Further the word "domestic", as used in international law, referred to matters within a State's jurisdiction, whether exercised in relation to matters inside or outside its territory.

The situation in Tunisia, these representatives considered, did not threaten international peace and security, and therefore the proviso contained in Article 2, paragraph 7, that the principle of non-intervention should not prejudice the application of enforcement measures under Chapter VII of the Charter, did not apply. Had this proviso applied, it would, in any case, have excluded action by the General Assembly as distinct from the Security Council. It was inadmissible, in view of the provisions of Article 2, paragraph 7, to rely on Article 73 or the human rights provisions of the Charter to establish jurisdiction. Further, Article 73 did not confer on the United Nations any supervisory powers in relation to Non-Self-Governing Territories within the provisions of Chapter XI of the Charter; it merely contained a declaration by certain Powers that they would strive to attain certain objectives.

Practical considerations also made it inadvisable for the Assembly to attempt to deal with the Tunisian question, these representatives felt. If the true meaning of the words of the Charter were ignored in order to deal with a dispute which attracted the concern and interest of the Assembly, it was certain that in the future the Charter would be exploited for purposes which would defeat the principles on which it was based. Care should also be taken to avoid endangering the common larger interests of the democratic countries. Furthermore, the Assembly could not enforce decisions. If its recommendations were meant to exert a moral influence, they should reflect the feelings of the greatest possible majority. When the Assembly's competence, or its extent, was seriously contested by one of the parties and by a number of Members, it was necessary to consider whether intervention would not merely fan the flames of unrest and encourage extremism and uncompromising attitudes. The prospect of United Nations intervention had already caused regrettable incidents and ham-

⁷⁰ See Y.U.N., 1947-48, p. 797.

pered negotiations in Tunisia and an attempt by the United Nations to intervene and to indicate the procedures to be followed could not facilitate a solution of the problem, these representatives maintained. They were accordingly against the adoption of any resolution by the General Assembly; they opposed the first draft resolution and opposed or abstained on the second.

Representatives in both the other groups, however, considered that the General Assembly should adopt a resolution on the Tunisian question.

The representatives of Afghanistan, Burma, the Byelorussian SSR, China, Czechoslovakia, Egypt, Ethiopia, Guatemala, India, Indonesia, Iran, Iraq, Liberia, Mexico, Pakistan, the Philippines, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR, Yemen and Yugoslavia supported the first draft resolution. Although most of them expressed a preference for this draft, after its rejection (see below) they all, except the representatives of the Byelorussian SSR, Czechoslovakia, Guatemala, Poland, the Ukrainian SSR and the USSR, voted in favour of the second joint draft resolution.

The third group, consisting of the representatives of Bolivia, Brazil, Canada, Cuba, the Dominican Republic, Greece, Haiti, Israel, New Zealand, Norway, Paraguay, Peru, Sweden, Turkey, the United States, Uruguay and Venezuela supported the second draft resolution. They voted against or abstained from voting on the first joint draft resolution, some of them considering that it exceeded the Assembly's competence.

In reply to the argument that the competence of the United Nations was excluded by the treaties between France and Tunisia, representatives in these two groups considered that the right of peoples to self-determination was established in Article 1, paragraphs 2 and 4, of the Charter. Under Article 103, obligations under the Charter prevailed over obligations under any other international agreement. The treaties, moreover, clearly recognized the Tunisian State as a separate entity and made only a limited delegation of powers to France. Tunisia had its own legislation, its own administrative machinery and its own Head of State, without whose signature no measure could become law. A declaration of war by France did not automatically commit Tunisia. Tunisia was considered foreign territory by the French code of military justice. Even the conduct of Tunisia's foreign relations was not entirely delegated to France, since the international treaties concluded by Tunisia before the Treaty of Bardo were still valid. French inter-

ference in matters left within the Bey's sovereignty could not, it was argued, be a matter essentially within the domestic jurisdiction of France. Moreover, the treaties could not prevent Tunisia from protesting when France violated them.

The competence of the United Nations was equally clear, these representatives maintained, if Tunisia were considered to be a Non-Self-Governing Territory within the meaning of the Charter. Chapters XI, XII and XIII recognized that the Non-Self-Governing Territories were no longer subject to the domestic law of the Metropolitan country, and established an unquestionably international system. In reply to the argument that Chapter XI was, in effect, a unilateral declaration and that the Charter did not confer on any international organ the right of supervision, it was stated that the insertion of this Chapter in the Charter transformed it into a multilateral contractual obligation binding upon the States concerned.

It was also pointed out that one of the accepted principles in determining the sphere of domestic jurisdiction was that, if a matter were regulated by international law, or governed by a treaty or international agreement, it was not essentially within the domestic jurisdiction of any State within the meaning of Article 2, paragraph 7, of the Charter. That view, which had been recognized by the practice of the United Nations, drew its authority from the advisory opinion of the Permanent Court of International Justice given on 8 November 1921 concerning the Tunisia-Morocco nationality decrees. The Court in this opinion had established that the existence of treaty obligations covering the substance of a matter was sufficient to remove it from the sphere of domestic jurisdiction. Questions arising from the application of treaties could not be settled exclusively in accordance with the national law of either party but had to be settled according to international law.

Some of these representatives maintained that a question with such important international aspects ceased to be a matter of domestic jurisdiction. The Tunisian question was the subject of dispute between France and thirteen Members of the United Nations; there was a chronic state of tension between two sovereign States and two distinct peoples; and the question involved the basic right of self-determination, recognized in the Charter. The Assembly, it was recalled, had confirmed its competence in the question of the treatment of people of Indian origin in the Union of South Africa.

It was further maintained that the Assembly had jurisdiction under Article 10,⁷¹ which authorized it to make recommendations concerning any matters within the scope of the Charter. Among the provisions bringing the Tunisian question within the scope of that Article were: parts of the Preamble concerning the equal rights of nations and the establishment of conditions under which justice and respect for treaties could be maintained; and paragraphs 1 and 2 of Article 1 stating the purposes of the United Nations to bring about by peaceful means the settlement of international disputes which might lead to a breach of the peace and to develop friendly relations among nations.

It was also argued that one of the basic threats to world peace arose from the disputes between the Metropolitan Powers and the independence movements in Non-Self-Governing Territories. The trouble in Tunisia obviously affected the general situation and decreased the possibility of finding peaceful solutions. Accordingly the Assembly also had jurisdiction under Article 11, paragraph 2, which authorized it to make recommendations concerning any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations. The situation was also covered by Article 14, which provided that the Assembly might recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deemed likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the Charter setting forth the purposes and principles of the United Nations.

In support of the first joint draft resolution (A/C.1/736), the representatives of Afghanistan, Burma, the Byelorussian SSR, China, Czechoslovakia, Egypt, Ethiopia, Guatemala, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR, Yemen and Yugoslavia recalled that the legal basis for the relationship between France and Tunisia was contained in the Treaty of Bardo of 1881. Relations between the two countries were further regulated by the Convention of La Marsa of 1883. From then on, it was stated, France had gradually assumed full control in Tunisia—a process in accord neither with the Treaty nor with the Convention.

On 11 April 1950, the Bey had informed the President of the French Republic of his desire to introduce substantive reforms, it was stated. A new Resident General, whose task was to pave the way for independence, was appointed. On 17

August 1950 a new Tunisian Government had been formed, acceptable to the Bey and to the French Government. The official announcement stated that the task of the new Cabinet was to negotiate such institutional changes as were needed to lead to internal autonomy. However, no progress had been made for a year, although on 8 February 1951 a decree embodying unsatisfactory reforms had been promulgated. Accordingly, on 31 October 1951 the Tunisian Cabinet had addressed a formal note to the French Government, stating that the pledge of autonomy had to be realized within a limited period and that it had to be acted upon at the governmental, legislative and administrative levels. At the governmental level an homogeneous Tunisian Government was necessary to avoid duality, although Ministers might attach French technicians whose experience would assist them. At the legislative level a representative Assembly should be established to draft laws and control the administration and general policy of the Government; but as a transitional measure the initiation of legislation might be reserved to the Government, leaving to the Assembly, however, the right of amendment. At the administrative level, the note stated, it was essential to give the public services a status in keeping with the new regime. However, experts would be recruited only from France and through the French Government. French citizens residing in Tunisia would be guaranteed the full exercise of their civil rights and the full protection of their persons and property.

All that had been offered in the final reply of the French Government on 15 December, it was stated, had been to go forward with a stage of municipal reform, and even that advance had failed to materialize because of French insistence on the equality of representation of French and Tunisian interests, i.e., between the 140,000 French colonists and 3,250,000 Tunisians. The reply had tried to justify French participation in the management of Tunisia's affairs by an alleged co-sovereignty which was incompatible with the protectorate treaty. It had also affirmed the finality of the ties between France and Tunisia. Following the failure of the negotiations the Tunisian Prime Minister had brought the situation to the notice of the Security Council.

Mr. Baccouche, the new Prime Minister, it was recalled, had been unable to form a government and a caretaker administration of civil servants had therefore been established. The French Government had negotiated with the new administration, but even that had not resulted in a

⁷¹ For text of Article referred to, see p. 11.

settlement. Draft reforms had been presented to the Bey on 2 August 1952. On 9 September the Bey had replied that he could not approve the proposals, since study by a group representing all sections of Tunisian opinion had made it clear that they would impair Tunisian sovereignty, legalize the direct administration and in no way represent progress towards the internal autonomy which the French Government had promised. The terror had then been intensified and hundreds of Tunisians had been killed or wounded as a result of action by the French colonists.

Tunisia had become a centre of trouble, which was liable to spread unless an early solution was found, it was felt. International peace was undermined by the division of the world into antagonistic blocs, and one of the most serious divisions was that between the Powers of the North-Atlantic Treaty Organization and the peoples of Asia and Africa.

It was argued by these representatives that the Bey and the Tunisian Government had advanced moderate and reasonable proposals and had maintained a sober, friendly and co-operative attitude, demonstrating an honest desire for a settlement. The crux of the matter was that there were about 140,000 French settlers in Tunisia and 3,250,000 Tunisians. From the Tunisian side, full guarantees had been offered that the legitimate interests of French citizens in Tunisia would be fully safeguarded on the restoration of Tunisian sovereignty. However, the 140,000 French citizens desired to occupy a position of privilege even when the French Government had been willing to take a timid step forward.

It was also argued that, as a result of the long French domination:

(1) the natural resources and mining reserves of Tunisia had been taken over and official colonization had been financed entirely from the Tunisian budget with some 4,000 colonists owning some 800,000 hectares of cultivated land, whereas between 400,000 and 450,000 Tunisians owned approximately 1 million hectares; (2) agricultural unemployment and poverty had resulted and during the last twelve years the rural population had suffered five famines; (3) in industry and trade Tunisia was a French satellite as any processing industry likely to compete with a similar French industry or to assemble a large concentration of labour had been eliminated; and (4) more than 15,000 French civil servants were employed in the Tunisian administration, in which they enjoyed considerable advantages and monopolized most of the higher positions.

The Tunisian people, it was contended, had suffered the ruin of its small and medium properties, the distress of its peasantry, the exploitation of its working class, endemic unemployment, undernourishment, illiteracy, and medieval hous-

ing standards. Those conditions, and the lack of adequate medical facilities, had caused widespread disease and a high death rate among the indigenous population.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR stated that United States military construction authorities were adapting fourteen airports in Tunisia for use by American bombers and were transforming the El Kantara port to service American naval vessels. The French naval base of Bizerte had actually come under the United States control. France, the United Kingdom and the United States were using their military alliance to maintain their privileges in the colonies and to suppress the national liberation movements.

Finally, it was argued that since the Tunisian representatives had not succeeded in negotiating on an equal footing, as required by democratic principles, it was essential that the United Nations should adopt a resolution recommending the resumption of negotiations and appointing a commission of good offices to assist therein. It was felt that the Latin-American draft resolution did not reflect the grave realities of the situation in Tunisia. It called upon both parties equally to resume negotiations, although the responsibility for breaking them off did not rest with the Tunisians. Furthermore, it did not mention the restoration of peaceful conditions or normal civil liberties, which were essential if negotiations were to take place in an atmosphere of freedom and mutual trust.

In support of the second joint draft resolution (A/C.1/L.8), the representatives of Bolivia, Brazil, Canada, Colombia, Cuba, the Dominican Republic, Greece, Haiti, Israel, New Zealand, Norway, Paraguay, Peru, Sweden, Turkey, the United States, Uruguay and Venezuela argued that the Administering Power could not be the sole judge of the interests of the inhabitants of a Non-Self-Governing Territory, and could not refuse to permit even a discussion of the principles involved. It was admitted that great material and cultural advances had certainly been made in Tunisia under French administration. However, the demand for self-determination could not be silenced by progress in other fields. If an agreed solution were not attained, the demand for self-government would be reiterated in stronger terms and an element of instability would be introduced into the international situation. The Tunisian independence movement was only a part of the nationalistic movement which had spread throughout the Arab and Moslem world. It depended on the

parties to the dispute and on the United Nations whether the problem would be solved peacefully or by violent methods.

Viewed in historical perspective, it was said, conditions in Tunisia reflected credit upon France. The stage of civilization which Tunisia had attained was one reason for granting it progressive self-government.

In expressing confidence that the French Government would endeavour to develop the free institutions of the Tunisian people, the second joint draft resolution merely reflected the belief that that was in fact the road that France had already chosen, it was stated. The appointment of a commission of good offices, they felt, would prejudice the status long enjoyed by France and would pay too little regard to France's solemn promise that Tunisia's national aspirations would be fulfilled. The first joint draft resolution (A/C.1/736) was neither moderate nor wise, and the action it recommended should be contemplated only when the possibilities of direct settlement had been exhausted. Furthermore, the resolutions of the Assembly were only recommendations, and Member States were free to abide by them or not. Unless every effort were made to seek the maximum agreement, the result would be the adoption of high-sounding resolutions which would have no practical effect and would not add to the prestige of the Organization.

The urge for freedom was not the only important condition for the achievement of real and lasting self-government in the interests of the inhabitants, some of these representatives pointed out. Among those conditions were a sound administration, economic viability, and a deep-rooted understanding of democratic processes. The road to progressive self-government lay in a free and open interplay between the administering authorities and representatives of the various elements within the territory. That interplay would only be progressive and constructive if it were peaceful. In this connexion it was also maintained that the General Assembly was not a tribunal and no opinion could be expressed concerning the acts of violence of which France had been accused.

The Tunisian question had been submitted to the General Assembly pursuant to Article 11, paragraph 2, of the Charter, as a question relating to the maintenance of international peace and security, it was said. Article 11, paragraph 2, provided that the Assembly could discuss such questions and make recommendations, but that any such question on which action was necessary should be referred to the Security Council either before or after discussion. If the parties did not

fulfil their initial obligation to settle their differences, the Assembly could call upon them to fulfil their duties. However, the Assembly lacked the power to indicate to the parties a specific procedure to be followed, such as the use of good offices or mediation. The Assembly further lacked the power to add to such a choice of method the appointment of the person who was to act as mediator. Accordingly it was argued that the second joint draft resolution (A/C.1/L.8) was the proposal more in conformity with the Charter.

At the 546th meeting on 12 December, the representative of India presented amendments (A/C.1/L.10) to the second joint draft resolution (A/C.1/L.8) which would:

(1) delete the fourth paragraph, which provided that the Assembly should express 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; and

(2) add a new paragraph requesting the President of the Assembly to keep under observation the progress of the negotiations, and to give in his discretion such assistance as might be necessary or useful. The representative of India argued that the course of previous negotiations and the refusal of the French Government to participate in the First Committee's debates did not appear to justify an expression of confidence in one party only. In view of the attitude taken by the French Government in previous negotiations, the additional paragraph would be useful in giving the Tunisian people some guarantee of the Assembly's interest.

The representative of Brazil pointed out that the second joint draft resolution clearly foresaw the evolution of the free institutions of the Tunisian people in accordance with the Purposes and Principles of the Charter and adoption of the amendment would indicate a lack of confidence in the two parties and would prejudice future negotiations.

At the same meeting, the Indian amendments (A/C.1/L.10) were rejected by roll-call votes of 31 to 21, with 6 abstentions, and 31 to 20, with 7 abstentions, respectively.

In separate votes, the Committee adopted paragraphs 1, 2, 3 and 5 of the first draft resolution (A/C.1/736). The remaining paragraphs were rejected, two (paragraphs 7 and 12) being rejected by roll-call votes. The Committee voted 27 to 24, with 7 abstentions, to reject the first joint draft resolution, as amended, as a whole.

After adopting separately the individual paragraphs of the second joint draft resolution (A/C.1/L.8), the Committee adopted the resolution as a whole by a roll-call vote of 45 to 3, with 10 abstentions.

b. RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

The draft resolution recommended by the First Committee (A/2312) was adopted without discussion at the 404th plenary meeting of the Assembly on 17 December by 44 votes to 3, with 8 abstentions, as resolution 611 (VII). It read:

"The General Assembly,

"Having debated the question proposed by thirteen Member States in document A/2152,

"Mindful of the necessity of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

"Considering that the United Nations, as a centre for harmonizing the actions of nations in the attainment of

their common ends under the Charter, should strive towards removing any causes and factors of misunderstanding among Member States, thus reasserting the general principles of co-operation in the maintenance of international peace and security.

"1. Expresses its confidence that, in pursuance of its proclaimed policies, the Government of France will 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. Expresses the hope that the parties will 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 of the United Nations;

"3. Appeals 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 present tension."

F. THE QUESTION OF MOROCCO

1. Inclusion of the Item in the General Assembly's Agenda

By a letter dated 8 August 1952 (A/2153), Iraq requested that the question of Morocco be included in the agenda of the seventh session of the General Assembly.

Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen made a similar request in a letter dated 3 September (A/2175). In an accompanying explanatory memorandum, those representatives recalled that a request to have the item placed on the agenda of the Assembly's sixth session had not secured the support of the necessary majority. The promises that reforms in the Moroccan administration would be introduced, made then and subsequently by France, had not been fulfilled. The methods of the French administration in Morocco were totally unsuited to the situation and to the demands of the people of Morocco. The principles of both the Charter and the Universal Declaration of Human Rights had been flouted time and again, these representatives alleged; stringent French rule had compromised the sovereignty of the country and its legitimate ruler and had resulted in complete suppression of civil liberties and democratic rights.

The national movement in Morocco was being oppressed at a time when the world was witnessing the emancipation of colonial peoples; peoples more backward than Morocco had obtained far more rights and liberties. The peoples of Asia and Africa supported the legitimate aspirations of the Moroccan people and considered that it was the duty of the Assembly not to ignore the situation.

The French Administration, by encouraging strife among the inhabitants and by arming French civilian residents, had created a dangerous situation, threatening both the liberties of the Moroccan people and international peace. Accordingly, those Governments felt it their duty to raise once again the question of Morocco. They believed that debate in the Assembly on the question would not only contribute to the solution of the Moroccan problem and to safeguarding peace in that area, but also to sustaining the principles of the Charter and of the Universal Declaration of Human Rights.

The representatives of those countries later transmitted to the Secretary-General an additional explanatory memorandum (A/2175/Add.1) and a communique of the Sultan of Morocco, dated 8 October 1952 (A/2175/Add.2). Pakistan, by a letter dated 11 December 1952, also transmitted to the Secretary-General the text of two documents relating to the Speech from the Throne, delivered on 18 November 1952, and to details of Franco-Moroccan negotiations (A/C.1/738).

Iraq, in a letter dated 8 September (A/2153/Add.1), stated that the communication of the thirteen States would supersede its individual request (A/2153).

At its 380th plenary meeting on 16 October 1952, the General Assembly, without discussion, decided to include the question of Morocco in the agenda of its seventh session. The item was subsequently referred to the First Committee.

During the opening general debate of the Assembly's seventh session, at the 392nd plenary meeting on 10 November 1952, the Minister

for Foreign Affairs for France made a statement concerning both Tunisia and Morocco.⁷²

With respect to Morocco, he said that the United Nations was excluded from discussing the question by the Treaty of Fez signed between France and Morocco in 1912 and by the provisions of the United Nations Charter. The Treaty, concluded between sovereign States, provided that the foreign relations of Morocco could be conducted only within the framework provided for in the Treaty, namely, through France. It also provided that reforms in Morocco were to be effected in close and exclusive co-operation with, and on the initiative of France.

The United Nations had not been given competence to revise treaties. Moreover, the competence of the United Nations was limited by Article 2, paragraph 7, of the Charter which precluded the Organization from intervening in matters essentially within the domestic jurisdiction of any State. This rule applied even where a question had international implications. The proviso in the paragraph that the principle should not prejudice the application of enforcement measures under the Charter was not applicable since it could not reasonably be claimed that the existing situation in North Africa constituted a threat to international peace.

The Minister for Foreign Affairs for France analyzed the reciprocal rights and duties arising from the Treaty of Fez of 1912. It was intended that any inequality arising from the difference of means and resources should progressively disappear, thus making room for a true partnership. He described the situation in Morocco when the Treaty was signed, and the advantages which Morocco had derived from its association with France. Morocco, he said, had been transformed into a true State and had been helped in building up administrative bodies and public services adapted to modern requirements. Economic conditions had been greatly improved by such measures as the reorganization of the land tenure system, the modernization of agriculture, reforestation, water conservation, the development of hydro-electric power and the construction of ports and roads. These achievements had not been made only for the benefit of the French. For instance, 94 per cent of the arable land was cultivated by Moroccans. The indigenous population of Morocco had doubled since 1920. The health conditions of the people had been greatly improved and a developing social legislation, modelled directly on that of France, was being put into effect. The technical and financial contributions of France had been decisive in developing mineral resources and establishing new industries. Educational facili-

ties were being extended yearly, although in this field it had been necessary to start virtually from nothing.

France had undertaken the task of education and democratic initiation, as provided in the Treaty, and was responsible for completing that task. Considerable strides had been made; other advancements of even greater importance were being prepared, and France was ready to discuss them with properly authorized representatives. These were not secret negotiations. The Sultan of Morocco could make his position known freely and publicly. It was, however, for France to determine the stages and pace of evolution in Morocco. How could the United Nations, he asked, quite apart from legal considerations, define what reforms should be undertaken, by what stages and through what institutions? The political problem in Morocco consisted basically of how to ensure for the future that the various elements of the population, each essential to the life of the country, should be able to live and work together in peace and friendship. France would not allow itself to be ousted from Morocco; the French Constitution stated that France would guide the peoples for whom it had assumed responsibility towards the freedom to govern themselves. With that objective, France had endeavoured to strengthen the individuality of Morocco as a sovereign State and that of its dynasty; to foster development of political and social institutions upon democratic foundations within the framework of a progressively expanding autonomy; to protect all interests; to exploit all natural resources; and to enlist support from all quarters. That would ensure the well-being of Morocco and all its inhabitants. Although, unfortunately, some elements in Morocco had preferred violence and intimidation to free understanding, it was not possible to give way to such methods.

The Minister for Foreign Affairs for France said that it would be a serious mistake if territories still imperfectly developed were set up as independent States before they were able to meet the heavy responsibilities which that would imply. Premature independence would imperil the legitimate interests of France and others, which France had undertaken to safeguard, as well as the further development of those territories. France was compelled to warn the Assembly against the consequences of interference. The Government of France could agree to discuss neither the principle nor the manner of such interference.

By a letter dated 4 December (A/C.1/737), France informed the Chairman of the Assembly's

⁷² See also under The Tunisian Question, above.

First Committee that, in accordance with the statement made by the Minister for Foreign Affairs for France at the 392nd plenary meeting of the General Assembly on 10 November, the French delegation would be unable to take part in the discussion of the item.

2. Consideration by the First Committee

The First Committee considered the question at its 547th to 553rd meetings, from 13 to 17 December.

In the general debate, at the 548th meeting on 15 December, the Chairman announced that some representatives had already expressed their views when speaking on the related question of Tunisia and had decided not to participate in the general debate on the question of Morocco. A summary of the views expressed, in so far as they relate particularly to Morocco, is given here.

The representatives of Ethiopia, Egypt, India, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen, stated, in general, that the tragedy of Morocco had begun in 1830, when France had annexed Algeria, and had resulted from the industrial revolution in Europe and the quest for markets and raw materials. Algeria had been an obvious prey for the interests of French industrialists—geographically near to France, economically prosperous and politically weak and divided. The conquest of Algeria had been completed in 1848 and from that moment the French had intrigued incessantly against the Sultan of Morocco, and had encouraged with arms and money the dissident elements undermining the authority of the Sultan's Government. During the nineteenth century, it was stated, the French, abusing the right of protection enjoyed by Foreign Missions in Morocco, had bestowed that protection not only upon their own nationals but also upon a large number of Moroccans, who had thus ceased to be subject to the authority and jurisdiction of the Sultan. Morocco had also had to fight against France in 1845 and against Spain in 1865. With the object of creating economic chaos, France had forced Morocco to pay huge indemnities. The fact that Morocco had been able for a time to escape the fate of Algeria had been due to the commercial rivalry between the great European Powers. That situation had led to the Convention of Madrid in 1880, which had stopped the practice of granting foreign protection to Moroccan citizens and had guaranteed equal trading rights to all countries. France had raised strong objections to the conclusion of the Convention. In 1881 it had occupied Tunisia and had then concentrated its efforts on Morocco.

Thereafter, it was stated, France had continued to foment internal disturbances against the Sultan. It had forced the Sultan to accept loans at exorbitant rates of interest. France, however, had acted mainly at the international level. It had managed to gain the acquiescence in its domination of Morocco, one by one, of Italy, England, Spain and Germany. In 1901 France had signed a secret treaty with Italy, by which Italy renounced all claims on Morocco in exchange for a free hand in Libya. In 1904 a secret treaty between France and Great Britain immediately after the ratification of their entente cordiale had recognized British supremacy in Egypt and had given France a free hand in Morocco. That year Spain had adhered to the Franco-British agreement and had been promised a free hand on the African side of the Straits of Gibraltar. In 1905 the Kaiser had sent warships to Tangier and had declared himself prepared to defend Moroccan independence. The diplomatic crisis that followed had resulted in the Conference and the Act of Algeciras in 1906. The Conference had recognized the independence of the Sultan and the integrity of his territory, and had established the principle of the open door in economic relations with Morocco.

The Moroccans had felt reassured. None of the governments which signed the Act, however, had the slightest intention of respecting its signature, it was said. They had been bound by secret treaties which violated the letter and the spirit of the Act of Algeciras. France had been the first to violate the provisions of the Act; the assassination of four French citizens in Morocco had provided it with the long-awaited opportunity to occupy part of the country. From 1907 to 1911 all the coastal towns had been occupied by French troops. Finally, in 1911, the Agadir incident had eliminated all remaining obstacles to French domination of Morocco. By a treaty signed in the same year Germany had finally given France a free hand in Morocco, receiving in return part of the French Congo. From that time the European Powers, having satisfied their ambitions in other parts of the world, had lost interest in Morocco. Such had been the power politics, imperialist deals and secret diplomacy, that France was able finally to dominate Morocco and to force the Treaty of Fez upon the Sultan in 1912.

In the opinion of these representatives, the 40 years of the French protectorate in Morocco had seen the expression of a conflict between the nationalism of a dominated people and European colonialism. It was true that under the first Resident General, Marshal Lyautey, Morocco had been pacified, a regime of law and order estab-

lished, and certain economic and social reforms undertaken, but those reforms, for the most part, operated only to the advantage of the French colonists. Both before and after the establishment of the protectorate, Morocco was a sovereign State; yet in reality it was a French colony, under the control of the French immigrants.

For many years the Sultan had pressed for the introduction of democratic reforms and the holding of municipal elections, it was maintained. When the Resident General had finally consented to hold such elections, he had requested that 4,000 French colonists should elect the same number of deputies as 8,000,000 indigenous inhabitants. When the Sultan had refused to accept that undemocratic condition, the Resident General had accused him of being reactionary. Moreover, since his ascension to the throne in 1927, the Sultan had not been allowed to have political counsellors. In 1950, General Juin had consented to the creation of an imperial Cabinet, with the function of giving advice on political questions. In 1951, however, the Sultan had been obliged to dismiss that Cabinet and to exile its members as punishment for their nationalistic aspirations.

Another characteristic trait of French policy, it was said, had been the creation of artificial separations between the two native elements, the Arabs and the Berbers, whose unity had been established by more than a thousand years of life in common. The French argument that because of the dual nature of the population there could not be any national unity in Morocco, was merely a pretext for preventing unification and justifying the protectorate.

Those representatives reviewed in detail the history of Franco-Moroccan relations since the official visit to France by the Sultan in 1950 to discuss the termination of the protectorate and its replacement by a regime more in harmony with the sovereignty of Morocco. This, however, had been fruitless.

France had proposed on 17 September the following reforms: (1) the instrument of administrative Djamas elected in the rural areas; (2) the creation of Joint Municipal Commissions in the urban centres; (3) promises of legislative texts regarding the organization of the judiciary; and (4) the assignment of a French secretary-general of the protectorate to the office of the Grand Vizier. This scheme of reforms did not contain a single novel element, as a communique issued by the Sultan on 8 October 1952 had pointed out. The Sultan further outlined the demarches he had decided to make to clarify the status of Franco-Moroccan relations, in a communique issued in

October 1952. It recalled that, in its reply to the memorandum submitted by the Sultan in 1950, the French Government had considered it premature to make any modification in the existing regime and had merely proposed fragmentary reforms within the framework of the Protectorate Treaty. On 14 March 1952, the Sultan had sent the French Government another memorandum, stating that the wisest solution of the Moroccan problem lay in a new definition of Franco-Moroccan relations which would guarantee the sovereignty of Morocco and the legitimate interests of the French, within the framework of co-operation between the two countries in the fields of economics, culture and international affairs. To achieve that aim, the Sultan had proposed granting public and private liberties and, in particular, trade union liberties, and the constitution of a provisional Moroccan Government which, in the name of the Sultan, would negotiate the terms of a new agreement with the French Government.

In its reply of 17 September 1952, to the Sultan, France had declared itself prepared to institute elected joint municipal commissions in the towns and Franco-Moroccan commissions in the rural areas. With regard to executive power, the reply had noted the existence of the Council of Viziers and the directors of ministerial departments; it had indicated, further, that France was prepared to put forward legislative drafts with regard to the judicial organization and that, once those principles had been accepted, the French Government would be prepared to proclaim in a solemn Act the principles upon which Franco-Moroccan relations would be based in the future, without in any way impugning the objectives defined in the Treaty of Fez. There could be no sharing of sovereignty.

In reply to the French Government, the Sultan on 3 October 1952, had expressed his regret at the refusal of the Government of France to agree to his proposals. At the same time he had drawn the attention of the French Government to the fact that the reforms it had proposed seemed to amount to a division of Moroccan sovereignty.

The negotiations had failed, these representatives considered, because the Moroccan people wanted to regain their complete independence while France envisaged a regime of co-sovereignty, in contravention of the Protectorate Treaties and the Act of Algeiras.

The representatives of Brazil and Panama said that, because of nationalist aspirations, a state of tension existed in Morocco. This had prevented an agreement acceptable both to the French and Moroccans. The Sultan had proclaimed that the

best solution, which would guarantee both Moroccan sovereignty and French and foreign interests, would be to re-define French-Moroccan relations. He had added that he had not requested the immediate withdrawal of French troops and so had displayed a real desire to compromise. On the other hand, there was no reason to doubt France's desire to compromise, a desire which it had expressed repeatedly and which was in conformity with the principles of the Charter. They believed, however, that it was not appropriate, at that time, for the Committee to analyse the relations between France and Morocco. The Charter would not justify direct intervention by the United Nations, particularly when there was no evidence of a threat to international peace and security in that part of the world. The Committee should instead act as a mediator. The aspirations of the people of Morocco were justified, but France also desired the realization of those aspirations. Thus, these representatives considered, the solution of the problem rested solely with the two peoples. The Committee's duty was, therefore, to have recourse to means of peaceful settlement. Intransigent measures would tend only to aggravate the situation. In this view, those representatives were supported by the representatives of Afghanistan, the Philippines and Yugoslavia.

On the question of competence, the representatives of Egypt, India, Indonesia, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Yemen argued that Article 2, paragraph 7, of the Charter did not apply to the case of Morocco, because the Permanent Court of International Justice had, in 1922, upheld Moroccan sovereignty and the International Court of Justice had also decided, in 1952, the international character of the relations between France and Morocco. It was, therefore, the duty of the United Nations to use its good offices in inviting both parties to negotiate. The representatives of Afghanistan, Guatemala, the Philippines and Yugoslavia also stressed this view. Although French residents in Morocco were in a privileged position, it could not surely be claimed that the Moroccans had no international status or that their affairs were inseparably bound up with those of the French. Furthermore, the Act of Algeciras, signed by twelve States, had safeguarded the sovereignty and independence of the Sultan, the integrity of his domains and the economic freedom on an equal footing, of all States which traded with Morocco. That Treaty was still in force.

The representatives of Australia, Belgium, the Netherlands, the United Kingdom, the Union of South Africa and the United States questioned the competence of the Assembly to examine the question.

The representative of the United Kingdom, in particular, considered that in dealing with the question, the Assembly was usurping functions to which it was not entitled. As the Permanent Court and the International Court of Justice had recognized, the Franco-Moroccan Protectorate Treaty was valid. Unlike the League of Nations, however, the United Nations had no general power to revise treaties. As regards the reference made to Article 103 of the Charter, which provides that the obligations of the Charter take precedence over other obligations, that Article would be applicable only if there were a specific legal conflict between the Charter and the Protectorate Treaty, and that was not the case. Under that Treaty, Morocco, while retaining certain attributes of sovereignty, had vested the conduct of its foreign affairs in France. Questions arising between the two parties had ceased to have an international character.

The Charter recognized the existence of dependent territories by the very fact that it dealt with them in Chapter XI and XII, it was stated. In the case of a Protectorate not under Trusteeship, the United Nations had, at most, the right and responsibilities which it had under Chapter XI, in relation to Non-Self-Governing Territories, not those of the Chapter on the Trusteeship System, which implied the acceptance of actual supervision by the United Nations. The only obligation incumbent on Members of the United Nations under Article 73 was that of transmitting information on Non-Self-Governing Territories to the Secretary-General; nowhere in Chapter XI was it provided that the United Nations could intervene in the political relations between the parties concerned.

It could not be claimed, he said, that international peace was threatened since there was no dispute between fully independent States. Consequently, neither an international dispute nor a threat to international peace was involved. Moreover, the limitations placed upon the General Assembly's powers in Article 10 applied to the enumeration of its specific powers in Articles 11 to 17. In other words, the General Assembly could not, under Article 14 or Article 10, either discuss or make recommendations that were not within the scope of the Charter. Furthermore, the matters to which Article 2, paragraph 7, applied, because they were matters of domestic jurisdiction, were excluded from the scope of the Charter.⁷³

The representative of the Netherlands said that as the competence of the Committee had been denied by France, without whose co-operation no practical results could be expected, he believed that

⁷³ For texts of these articles, see pp. 10-12.

no intervention by the Assembly could serve any constructive purpose.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR maintained that the United Nations was competent to consider the question and referred to the political, social and economic conditions of the Moroccan people. The representative of the USSR, in particular, argued that Morocco was a non-self-governing territory within the meaning of the Charter and that this was recognized by the French themselves. The United Nations had a special responsibility to such territories. States administering those territories had assumed a particular obligation which was likewise determined by the Charter. France, under Article 73 of the Charter, had undertaken to promote and ensure the political, economic, social and educational advancements of the people of Morocco as one of its non-self-governing territories. The French Government had failed to abide by its obligations, he stated. He maintained that:

(1) French monopolists had taken over the natural resources and the best lands of Morocco and were dominating its industrial, financial, social and cultural enterprises; (2) the part played by the United States in the foreign trade of Morocco, particularly imports, was growing yearly; (3) lawlessness and the subjection of the Moroccan citizens to abuse and injustice were part of a systematic policy of discrimination against the Moroccan population; (4) Moroccans did not enjoy the right to form trade unions and their wages were always lower than those of European workers; (5) in public health and national education, discrimination also prevailed; (6) expenditures allocated from the national income for services for the Moroccan population and for the colonists were entirely out of proportion; and (7) the Moroccan people had been excluded from any participation in the government of their country.

Since 1914, the powers of the French Resident General had been constantly used to suppress the national liberation movement, the USSR representative stated. All public and private assemblies were prohibited by law; Moroccans were persecuted, condemned or imprisoned for participating in private assemblies and for distributing or possessing pamphlets criticizing the French authorities. The complete absence of freedom of speech, of assembly and of the Press, and the absence of the right to organize trade unions could not have failed to stir the indignation of the indigenous population, especially as it had been provoked constantly by the use of force.

The tense situation in Morocco had been considerably worsened when the territory had been turned into a military base for the United States, the representative of the USSR said. Morocco played one of the major roles in the strategic plans of the North Atlantic Treaty Organization.

In December 1950, the Government of France had concluded a secret agreement with the Government of the United States permitting the United States to build air bases in Morocco and to maintain American troops there, even in peacetime. By its actions in Morocco, designed to suppress the liberation movement and to produce a regime of militarization, the French Government had created a serious situation which required careful scrutiny by the United Nations.

The General Assembly should take measures for the solution of the Moroccan question in accordance with the principles of the Charter, and especially with paragraph 2 of Article I, those representatives said.

At the 549th meeting of the Committee on 15 December, Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen submitted a draft resolution (A/C.1/L.12).

In terms of this draft, the Assembly would:

(1) recall that the International Court, in its judgment of 27 August 1952, had pronounced that it was common ground that the characteristic of the status of Morocco was respect for the three principles stated in the preamble to the General Act of Algeciras, namely the sovereignty and independence of the Sultan, the integrity of his domains and economic liberty without any inequality; (2) state that it was mindful that Morocco had entered into solemn covenants in the exercise of its sovereign rights; and (3) state that it was conscious that France respected solemn covenants, the law of nations and the rights and desires of peoples to liberty and equality as well as the rights of peoples and nations under the Charter.

The Assembly would also:

(1) note that the Sultan and people of Morocco had proclaimed their desire for the early attainment of their national aspirations through peaceful methods of negotiation and settlement; (2) note that the International Court had recorded that it was not disputed by France that Morocco, even under the Protectorate, had retained its personality as a State in international law; and (3) state that it considered that the existing situation in Morocco caused deep concern and adversely affected Franco-Moroccan relations and peaceful conditions in the world.

In its operative part, the draft resolution would have the Assembly request the Government of France and the Sultan of Morocco to enter into negotiations to reach an early peaceful settlement in accord with the sovereignty of Morocco, the aspirations of its people and the United Nations Charter.

In explaining the joint draft resolution, the representatives of India and the Philippines pointed out that the draft did not condemn nor ask for sanctions against France; it made no provision for arraignment before a court. It merely

noted that Moroccan sovereignty had been violated and, therefore, asked the parties concerned to enter into negotiations to reach a peaceful settlement of the situation in accord with the sovereignty of Morocco, the aspirations of the Moroccan people, and the principles of the United Nations. The draft resolution was based on two premises: the first, that France as a rule respected the covenants it had signed, the law of nations and the rights and desires of peoples to liberty and equality; the second, that the Sultan and the people of Morocco had proclaimed their desire for the early attainment of their national aspirations by peaceful methods of negotiations.

The draft, they said, was a modest, moderate and reasonable proposal, which took into account the national aspirations of the Moroccan people and the principles of the Charter. It also took into account the apprehensions which certain delegations had expressed during the debate on the Tunisian question. In submitting the joint draft resolution, the sponsors were in no way moved by a desire to bring about the condemnation of a great and honoured Member of the United Nations or to jeopardize the security of a vital area of the world. Their only concern was to bring the moral force of the United Nations to bear upon both parties so that the methods of peaceful negotiations might be set in motion as early as possible, and so that the Moroccan people might make a start on the road back to self-government.

At the 550th meeting, on 16 December 1952, a joint draft resolution (A/C.1/L.13) by Brazil, Costa Rica, Cuba, Ecuador, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela was submitted.

In terms of this draft, the Assembly would:

(1) state that it was mindful of the necessity of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples; (2) state that it considered that the United Nations should strive towards removing any causes or factors of misunderstanding among Member States, thus reasserting the general principles of co-operation in the maintenance of international peace and security; (3) express its confidence that France would endeavour to further the fundamental liberties of the people of Morocco, in conformity with the Purposes and Principles of the Charter; (4) express 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 (5) appeal to the parties to conduct their relations in an atmosphere of goodwill, 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 existing tension.

Introducing the joint draft, the representative of Brazil said that it was based on respect for the legitimate rights and interests of all parties.

The representative of Pakistan stated, at the 552nd meeting on 17 December 1952, that the thirteen-Power joint draft resolution (A/C.1/L.12) embodied provisions likely to solve the problem. It had been modelled on the draft resolution on Tunisia adopted by the Committee. Those parts of the original thirteen-Power proposal concerning Tunisia, which had been rejected, had been withdrawn from the draft on Morocco, so that the latter might be adopted unanimously. In case it were not adopted, his delegation proposed the substitution of an amendment (A/C.1/L.14) to the second operative paragraph of the eleven-Power draft resolution (A/C.1/L.13), in terms of which the Assembly would express the hope that the parties would continue negotiations on an urgent basis with a view to bringing about self-government for Moroccans in the light of the relevant provisions of the Charter of the United Nations.

At the 552nd meeting on 17 December, the Committee voted paragraph by paragraph on the thirteen-Power draft (A/C.1/L.12).

By 26 votes to 21, with 7 abstentions, it adopted that part of the preamble which declared that the Assembly was conscious that France respected the rights and desires of peoples to liberty and equality as well as the rights of peoples and nations under the United Nations Charter. By votes ranging from 25 to 20, with 10 abstentions, to 27 to 18, with 9 abstentions, however, the Committee rejected the remainder of the preamble. The operative part of the joint draft was rejected by 27 votes to 25, with 3 abstentions, and the amended joint draft as a whole was accordingly rejected.

The Committee adopted, by 28 votes to 23, with 4 abstentions, the amendment by Pakistan (A/C.1/L.14) to the eleven-Power draft (A/C.1/L.13). It adopted the remaining paragraphs of the draft in separate votes, ranging from 44 to 3, with 9 abstentions, to 50 to 3, with 3 abstentions. It adopted the amended draft as a whole by 40 votes to 5, with 11 abstentions.

3. Resolution Adopted by the General Assembly

At the 407th plenary meeting on 19 December 1952 the Assembly considered the draft resolution recommended by the First Committee (A/2325).

Brazil, Costa Rica, Cuba, Ecuador, Honduras, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela submitted an amendment (A/L.135) to

the second operative paragraph of the draft resolution (the paragraph originally proposed as an amendment by Pakistan). The amendment proposed to express the hope for negotiations "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" in place of negotiations "with a view to bringing about self-government for Moroccans in the light of the relevant provisions of the Charter of the United Nations".

The Assembly adopted the amendment by a roll-call vote of 29 to 8, with 22 abstentions. Voting was as follows:

In favour: Argentina, Australia, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Greece, Haiti, Honduras, Iceland, Israel, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, United States, Uruguay, Venezuela.

Against: Byelorussian SSR, Czechoslovakia, Guatemala, Pakistan, Poland, Ukrainian SSR, USSR, Yemen.

Abstaining: Afghanistan, Belgium, Burma, China, Egypt, El Salvador, Ethiopia, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Luxembourg, Philippines, Saudi Arabia, Syria, Thailand, Turkey, Union of South Africa, United Kingdom, Yugoslavia.

The Assembly adopted by a roll-call vote of 45 to 3, with 11 abstentions, the draft resolution recommended by the First Committee, as amended. Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Greece, Haiti, Honduras, Iceland, India, Indo-

nesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, New Zealand, Nicaragua, Norway, Panama, Peru, Philippines, Saudi Arabia, Sweden, Syria, Thailand, Turkey, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Belgium, Luxembourg, Union of South Africa.

Abstaining: Australia, Byelorussian SSR, Czechoslovakia, El Salvador, Guatemala, Netherlands, Pakistan, Poland, Ukrainian SSR, USSR, United Kingdom.

The resolution (612 (VII)) read:

"The General Assembly,

"Having debated the "Question of Morocco", as proposed by thirteen Member States in document A/2175,

"Mindful of the necessity of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

"Considering that the United Nations, as a centre for harmonizing the actions of nations in the attainment of their common ends under the Charter, should strive towards removing any causes or factors of misunderstanding among Member States, thus reasserting the general principles of co-operation in the maintenance of international peace and security,

"1. Expresses the confidence that, in pursuance of its proclaimed policies, the Government of France will endeavour to further the fundamental liberties of the people of Morocco, in conformity with the Purposes and Principles of the Charter;

"2. Expresses the hope that the parties will 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;

"3. Appeals to the parties to conduct their relations in an atmosphere of goodwill, 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 present tension."

G. REPATRIATION OF GREEK CHILDREN

The question of the repatriation of Greek children, which was considered by the General Assembly as part of the Greek question every year from its third to sixth session, was before the Assembly as a separate item at its seventh session.

The Assembly had recommended, in resolution 193 C (III) of 27 November 1948, the return to Greece of Greek children away from their homes when the children, their father or mother or, in his or her absence, their closest relative expressed a wish to that effect; it had reiterated this recommendation in subsequent years. It had also in resolution 193 C (III) asked that the International Committee of the Red Cross and the League of Red Cross and Red Crescent Societies organize and ensure liaison with the national Red Cross organizations of the States concerned with a view to the implementation of the recommenda-

tion. Accordingly, reports had been received from these organizations in subsequent years and the Assembly had called upon them to continue their work and to report further.⁷⁴

At its seventh session, the Assembly had before it the fourth general report (A/2236) and a supplementary report (A/2236/Add.1) of the International Committee of the Red Cross and the League of Red Cross Societies, submitted in accordance with resolution 517 (VI), as well as a report from the Secretary-General (A/2241 and Corr.1) submitted under the same resolution.

⁷⁴ The relevant Assembly resolutions are 193 C (III), 228 B (IV), 382 C (V) and 517 (VI). The texts of these resolutions may be found in Y.U.N., 1948-49, pp. 244, 256, Y.U.N., 1950, p. 381 and Y.U.N., 1951, p. 337. An account of the consideration leading to the adoption of these resolutions is also given in these volumes.

1. Reports of the International Red Cross Organizations

The fourth general report (A/2236) of the International Committee of the Red Cross and the League of Red Cross Societies, dated 1 October 1952, described the efforts of the two organizations for the repatriation of Greek children in the previous twelve months and, in addition, reviewed their work in 1949, 1950 and 1951—work which, they said, had proved unsuccessful except for the return of a number of children from Yugoslavia.

In transmitting the report the organizations stated that they considered that they had exhausted all possible ways available to them in seeking a solution of the problem (except for the opportunities that might still occur of repatriating Greek children living in Yugoslavia), and that, accordingly, they felt obliged to suspend their work for the time being. They would be ready to resume this work if and when the United Nations or the governments concerned succeeded in establishing conditions, at the governmental level, which would make practical action by the Red Cross possible and useful. They also remained at the disposal of any of the governments concerned which might apply for their assistance in preparing or carrying out repatriation.

Giving a chronological account of their efforts, the Red Cross organizations stated that as far back as the beginning of 1949 each of the harbouring countries, Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Romania and Yugoslavia, had been asked for a list of Greek children living on its territory, for purposes of identification and to determine, in consultation with the national Red Cross Society of the State concerned, their eligibility for repatriation. Failing the receipt of that information, lists of children claimed through the Greek Red Cross had been sent to those countries with the request that they indicate which of the children were living in their territory. Up to the time of the report, it was stated, requests for the repatriation of 12,661 children had been received through the Greek Red Cross. No practical action, however, it was stated, had been taken by any of the harbouring countries except Yugoslavia. Efforts to make direct contacts with the national Red Cross organizations of those countries, for joint study of problems of repatriation including identification and authenticity of claims, had also failed except in the case of Yugoslavia from which 469 children had been repatriated up to 30 September 1952.

The report dealt, in particular, with the case of 138 Greek children⁷⁵ identified in Czechoslovakia

in 1949 by the Red Cross of that country. The international Red Cross organizations considered that most of these children were eligible for repatriation on the basis of documents which had been obtained in 1950 at the request of the Czechoslovak Red Cross. With the agreement of the Government of Czechoslovakia, negotiations were resumed in April 1952 at Prague between the representatives of the international Red Cross organizations and those of the Czechoslovak Red Cross for the repatriation of these children. The negotiations, however, had to be broken off since the representatives of the Czechoslovak Red Cross refused to discuss the specific case of the 138 children, insisting that a discussion should first be held on the general situation of children in Greece, particularly of the question as to whether they suffered from political discrimination.

The report also referred to the efforts made to return to their families Greek children separated from them, wherever the actual place of residence of the families might be, on the same lines as had been adopted for returning Greek children to their families in Greece. Lists of Greek children living in Czechoslovakia, Hungary, Romania, Albania, Bulgaria, Greece and Poland, who were claimed by their families in Yugoslavia, were submitted by the Yugoslav Red Cross and forwarded to the Red Cross Societies in the harbouring countries; lists submitted by the Red Cross Societies of Bulgaria, Czechoslovakia and Hungary, as well as applications from relatives resident in Poland for the return to their parents or relatives in these countries of Greek children residing in Yugoslavia were similarly submitted to the Yugoslav Red Cross Society. The only response had been from Yugoslavia.

The Yugoslav Red Cross informed the international Red Cross organizations on 17 January 1952 that, in response to requests from parents in Czechoslovakia for 123 Greek children living in Yugoslavia, it had identified 57 of the children and would be prepared to transfer them as soon as the relevant documents were received. On 3 June the Yugoslav Red Cross notified its willingness to transfer to Czechoslovakia twelve such children in respect of whom the necessary documents had been made available. The international Red Cross organizations, it was stated, had transmitted the information to the Czechoslovak Red Cross, informing it that the transfer would be carried out in the same manner as in Greece, that is, in the presence of a representative of the international Red Cross organizations who would

⁷⁵ For developments in the case up to January 1952, see Y.U.N., 1951, pp. 331-33.

accompany the children until they were delivered to their relatives. The international Red Cross organizations also asked for a guarantee that the children would be immediately returned to their parents with whom they would live in future.

The report further referred to a number of claims from Hungary and Czechoslovakia for children living in Yugoslavia for which the Yugoslav Red Cross had not found the necessary authentication.

The supplementary report (A/2236/Add.1), dated 13 November 1952, covered events since 1 October 1952 and described the repatriation of 69 Greek children from Yugoslavia in October 1952 and their return to their relatives in Greece. It stated that, to date, 538 children had been repatriated from Yugoslavia, which had identified a further 100 Greek children living in its territory. The Greek Red Cross had thus far received the list and had prepared documents for 34 of them.

On 18 October, it was reported, the Yugoslav Red Cross had transmitted to the international Red Cross organizations a new list of thirteen children identified in Yugoslavia whose relatives lived in Czechoslovakia. It was prepared to arrange for their transfer to Czechoslovakia. The request was transmitted to the Czechoslovak Red Cross which was invited to make such proposals as it desired for the organization of the transfer. At the same time the attention of the Czechoslovak Red Cross was drawn to the list of twelve children forwarded to them earlier. No reply, the report said, had been received from Czechoslovakia, so far, to either of the communications.

2. Report of the Secretary-General

The report of the Secretary-General (A/2241), dated 30 October 1952, concerned the efforts made by him and the Standing Committee established under General Assembly resolution 382 C (V) for the repatriation of Greek children. It stated that the text of resolution 517 (VI)⁷⁶ of 2 February 1952 had been transmitted to the Governments concerned, particular attention being drawn to the provisions in which the General Assembly urged "all countries harbouring Greek children to take steps to facilitate the early return of the children to their homes". No replies had been received and in the past year, as in the previous year, it was noted, no Greek children were repatriated except from Yugoslavia.

The Standing Committee, consisting of C. Holguin de Lavalle (Peru), S. P. Lopez (Philippines) and S. Grafström (Sweden), it was reported, reviewed in May 1952 the situation resulting from

the breakdown in April of the negotiations in Prague between representatives of the Czechoslovak Red Cross and the international Red Cross organizations. The Committee's subsequent effort to secure through the good offices of the Czechoslovak representative to the United Nations a resumption of the negotiations, beginning with the consideration of the cases of the 138 Greek children, was unsuccessful.

3. Consideration by the Ad Hoc Political Committee

The question was considered by the Ad Hoc Political Committee at its 22nd to 24th meetings between 21 and 24 November 1952.

At the outset, the Chairman of the Standing Committee on the Repatriation of Greek Children expressed regret that none of the countries directly concerned, with the exception of Yugoslavia, had repatriated any Greek children. He declared that, while the Committee members would be happy to continue their efforts if any results were to be hoped for, it seemed preferable, in view of the insurmountable obstacles encountered, that the Committee should be dissolved. He also paid tribute to the efforts of the international Red Cross organizations and thanked the Yugoslav Government for its co-operative attitude.

The Committee had before it a joint draft resolution (A/AC.61/L.18) submitted by Brazil and New Zealand, under which the General Assembly would, among other things:

(1) recall that the States harbouring Greek children had not opposed the recommendations of earlier Assembly resolutions in the matter; (2) express deep regret that, except for Yugoslavia, none of the harbouring States had complied with the recommendations; (3) condemn the failure of those States to co-operate in efforts to enable the Greek children to return to their homes; and (4) decide to discontinue the Standing Committee and to agree to the suspension of the work of the international Red Cross organizations (except in Yugoslavia where it would be requested to continue work until all children had been repatriated) until such time as conditions making practical action by the Red Cross possible and useful had been established.

Two amendments were proposed to the joint draft resolution:

(1) A Byelorussian SSR amendment (A/AC.61/L.20) which would delete the two paragraphs expressing regret that none of the harbouring States except Yugoslavia had complied with the Assembly resolutions and condemning their failure to co-operate;

(2) An Ecuadorean amendment (A/AC.61/L.21) which, as amended at the suggestion of China, would: (a) provide for the discontinuance of the Standing Committee but decide not to suspend the work of the international Red Cross organizations; and (b) would request them to continue their work, not only in Yugoslavia, but until all children had been repatriated.

⁷⁶ See Y.U.N., 1951, p. 337.

A majority of representatives, including those of Australia, Belgium, Brazil, China, Colombia, Cuba, Denmark, the Dominican Republic, El Salvador, Ethiopia, France, Honduras, the Netherlands, Norway, the Philippines, Sweden, Turkey, the Union of South Africa, the United Kingdom and the United States, supported the draft resolution. While praising the efforts of the international Red Cross organizations and the Standing Committee and the co-operative attitude of Yugoslavia, they expressed deep regret at the refusal of the other countries which harboured Greek children to heed repeated Assembly resolutions on that subject.

The representatives of New Zealand, the Union of South Africa and the United Kingdom expressed the view that the USSR partly shared the responsibility for the refusal of those countries to assist in the repatriation of Greek children because it had failed to exercise its influence on them to secure repatriation.

The representative of the United States said that it was important to ascertain the significance of the situation in relation to the maintenance of peace. The fact that no Member had ever opposed the Assembly resolutions on the repatriation of Greek children showed the unanimity of opinion on that question. But the attitude of "Cominform" countries had shown that, even when no vital political interests were involved, they refused to act like respectable members of the international community. The United Nations, she said, must register its concern for the situation by condemning the countries which were responsible for it.

The representative of Cuba, while condemning the detention of Greek children, drew attention to the parallel situation which, he said, existed in the USSR where 3,000 Spanish children were detained. These children, he stated, had reached the USSR in 1937 from Bilbao and were being detained for propaganda purposes. He denounced the detention of these children.

The representative of Greece declared that at its fourth, fifth and sixth sessions, the Assembly had already noted that none of the Greek children harboured in Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and East Germany had been repatriated and that none of those countries had taken steps to implement the various resolutions of the Assembly on the subject. They had, he said, on the contrary, systematically hampered the work of the international committees. They had refused them access to their territories; had failed to reply to United Nations communications and refused to enter into direct contact with

the International Red Cross. Reviewing the recent refusal of Czechoslovakia to consider the case of the 138 Greek children identified there, he declared that if that Government's attitude were based upon concern for the children's welfare, its fears could be dispelled by the fact that all the children repatriated from Yugoslavia had been returned to their parents under the personal supervision of accredited representatives of the International Red Cross.

The overwhelming mass of evidence, the Greek representative stated, led only to the conclusion that the countries of the Soviet bloc had no intention of returning the Greek children to their homeland. After five years of Communist indoctrination, he added, those children must be well advanced on the road indicated for them in a speech by the Secretary-General of the Greek Communist Party when in 1950 he referred to them as fighters in the army which would liberate the Greek people. The conscience of the civilized world demanded a prompt settlement of this purely humanitarian problem, but the countries in question were making use of it for their reprehensible political ends. He exhorted the Assembly to condemn their attitude and stated that his Government reserved its right to do everything possible for the deliverance of the children.

The representative of Yugoslavia said that the repatriation of Greek children had always been viewed by his Government as a humanitarian problem. It had done everything possible to repatriate children whose parents were in Greece. However, a number of children had not yet been claimed by their parents and it had therefore not been possible to repatriate them.

As to Greek children whose parents were in other Eastern European countries, only twelve authenticated applications had been received by July 1952. Yugoslavia had made known its readiness to return these children to their parents, but the authorities in the countries in question had not taken the necessary steps.

There were also children in a number of Eastern European countries, he said, whose parents were in Yugoslavia. In June 1952 the Yugoslav Red Cross had sent the League of Red Cross Societies 98 requests from Greek refugees in Yugoslavia whose children were in Hungary, Czechoslovakia, Poland, Romania and the USSR. The requests had been passed on to those countries, but none of them had replied.

The Yugoslav representative expressed gratitude to speakers commending Yugoslavia's efforts. If they had had so little success, it was due par-

ticularly to the fact that certain countries harbouring Greek children placed political above humanitarian considerations.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR expressed strong opposition to parts of the joint draft resolution, in particular those expressing regret that none of the harbouring States except Yugoslavia had complied with Assembly resolutions and condemning them for failure to co-operate. Stating that they favoured the principle of repatriation, these representatives maintained that the task had been made difficult by justifiable fears of reprisals against the children and their parents on the part of the Greek Government which, they said, still continued repressive measures against democrats, including minors. Moreover, it was maintained, requests for repatriation and lists submitted by the Greek authorities had been falsified. The Greek Government really intended to obtain custody of these children to put them in "re-education homes" which were nothing more than prisons and concentration camps.

In reply to what he called slanderous statements of certain representatives, the representative of the USSR said that, by expecting the USSR to "give orders" to the Eastern European countries harbouring Greek children, those representatives had shown an absolute ignorance of the relations prevailing among the people's democracies, relations which were based on respect for the sovereignty and independence of States.

The representative of Czechoslovakia stated that from the outset his Government had favoured the idea of repatriation. Not only had it supported the Assembly resolution of 1948, but it had undertaken, in co-operation with the Czechoslovak Red Cross, to give it practical effect. A list of 138 Greek children identified in Czechoslovakia had been sent to Geneva; meanwhile the children had been well cared for. It appeared, he said, that practically none of the requests for the return of those children had been written by the applicants themselves, and that in many cases they had been signed by a third party. Of the 138 cases, only 78 had been verified as to authenticity, as agreed, by the signatures of two members of the International Red Cross Mission to Greece. In 30 cases, there had been no signature at all. Obviously, the conditions for voluntary repatriation set out in the Assembly resolution were not being fulfilled.

In reply, the representative of Greece pointed out that the international Red Cross organizations had stated that they had received renewed assur-

ances from the Greek Government that repatriated children would immediately be returned to their parents and that no discriminatory measures would be taken against the children or the parents. Those organizations had also testified to the efficiency of the Greek Red Cross and to the care provided for the children. With regard to the allegation of forged repatriation requests, he quoted the international Red Cross organizations as having pointed out that failure of the harbouring countries to co-operate had made it impossible to verify requests for repatriation. The Greek Government had itself suggested that the national Red Cross organizations of those countries should make specific reference to any doubtful cases.

The representative of Uruguay stated that no question involving children should be made contingent on the solution of a political problem. He felt that the work of the Red Cross should be continued and that it should not be restricted to Yugoslavia alone. Agreeing with this view, the representative of Ecuador urged acceptance of his amendment, which was also supported by the representatives of Cuba, El Salvador, Honduras, Israel and Lebanon.

The sponsors of the joint draft resolution, supported by the representative of Greece, however, opposed the amendment. They stated that the draft resolution recognized the facts of a tragic situation and that the continuance of committees which were being flouted was harmful to the reputation of the United Nations.

The representatives of Guatemala, Indonesia, Israel, Lebanon and Mexico expressed their intention of either abstaining or voting against the paragraph condemning the failure of the harbouring States other than Yugoslavia to co-operate. The representative of Mexico stated that such condemnation should be reserved for extreme cases such as aggression.

At the 24th meeting of the Ad Hoc Political Committee on 24 November, the first part of the Byelorussian SSR amendment (A/AC.61/L20) was rejected by 41 votes to 5, with 11 abstentions, and the second part by 36 votes to 5, with 16 abstentions. The first part of the Ecuadorean amendment (A/AC.61/L.21) was adopted by 21 votes to 20, with 17 abstentions, and the second part by 23 votes to 11, with 20 abstentions.

The various paragraphs of the joint draft resolution were voted on separately and were adopted in votes ranging from 54 to none, with 5 abstentions, to 36 to 5, with 17 abstentions. The draft resolution as a whole, as amended, was adopted by 46 votes to 5, with 7 abstentions.

4. Consideration by the General Assembly in Plenary Session

The report of the Ad Hoc Political Committee (A/2295) was considered by the General Assembly at its 404th plenary meeting on 17 December.

The representative of New Zealand, supported by the representatives of Brazil and Sweden, reminded the Assembly that for four years it had, with pitifully small results, attempted to rescue and to help the Greek children abducted from their homeland and kept in countries of Eastern Europe. The joint draft resolution sponsored in the Ad Hoc Political Committee by Brazil and New Zealand, it was felt, met the facts of the situation fairly and frankly. The draft resolution did not close the door on repatriation because it provided for resumption of work by the Red Cross agencies as soon as conditions were established making practical action by them possible and useful. It had been amended by Members who found it unpalatable to suspend the work of the Red Cross, lest it appear that the United Nations was refusing to act when something might still be done. However, the international Red Cross organizations had since then requested (A/2277) that the final General Assembly resolution take note, among other things, of the fact that continuation of their work was absolutely conditional on the removal of obstacles described in their report (A/2236) and that Red Cross action could not produce results unless favourable conditions were created by the Governments concerned. He suggested that the Assembly recognize those facts. Accordingly, his delegation had submitted amendments (A/L.128) to restore the original text of the draft resolution.

The representative of Ecuador, speaking also on behalf of the delegation of Uruguay, explained that although its amendment had been intended to leave open the last possibility of an action in defence of the interests of humanity, it was now ready to accept the situation and to support the New Zealand amendment.

The representative of Greece stated that by supporting the recommendation of the Ad Hoc Political Committee, as amended by New Zealand, his delegation accepted a tragic fate rendered inevitable by unprecedented human callousness. Both the international Red Cross agencies and the Standing Committee had been explicit as regards the responsibility for a situation which would be a slur on the record of this century. Their reports gave an accurate picture of the difficulties encountered in drawing up the lists of the abducted children, difficulties which the harbouring countries had not co-operated in resolving. As for

allegations that children repatriated from Yugoslavia were not returned to their families, the reports bore witness to the scrupulous observance by the Greek Government of its promises with regard to the immediate reunion of the repatriated children with their parents.

Although the solution to this problem seemed remote, the door was open, however, and Greece continued to hope that, with God's help and the moral assistance of the civilized world, its lost children would one day be restored to it.

The New Zealand amendments (A/L.128) were adopted by 46 votes to none, with 9 abstentions, and 49 votes to none, with 9 abstentions.

Two amendments (A/L.130) submitted by the Byelorussian SSR delegation, identical with those rejected by the Ad Hoc Political Committee, were then rejected by 41 votes to 5, with 9 abstentions, and 43 votes to 5, with 6 abstentions, respectively.

Paragraphs 3 and 4 were voted on separately and were adopted by 41 votes to 5, with 9 abstentions, and by 43 votes to 5, with 11 abstentions, respectively.

The draft resolution, as amended, was adopted by 46 votes to 5, with 6 abstentions, as resolution 618(VII). It read:

"The General Assembly,

"Viewing with grave concern the report of the International Committee of the Red Cross and the League of Red Cross Societies and the report of the Secretary-General and the Standing Committee on the Repatriation of Greek Children,

"1. Thanks the International Committee of the Red Cross, the League of Red Cross Societies, the Standing Committee on the Repatriation of Greek Children and the Secretary-General for their efforts to give effect to General Assembly resolutions 193 C (III), 288 B (IV), 382 C (V) and 517 (VI);

"2. Recalls that the States harbouring Greek children have not opposed the successive recommendations of the General Assembly for the solution of the problem of repatriating these children;

"3. Expresses deep regret that, except for Yugoslavia, none of the harbouring States has complied with these recommendations;

"4. Condemns the failure of the harbouring States other than Yugoslavia to co-operate in efforts to enable the Greek children to return to their homes;

"5. Decides to discontinue the Standing Committee on the Repatriation of Greek Children, and agrees to the suspension of the work of the International Committee of the Red Cross and the League of Red Cross Societies—with the exception of the activities referred to in paragraph 7 below—until such time as conditions making practical action by the Red Cross possible and useful are established;

"6. Notes with satisfaction that further groups of Greek children have been repatriated from Yugoslavia;

"7. Requests the International Committee of the Red Cross and the League of Red Cross Societies to continue their work in Yugoslavia until all children have been repatriated."

H. WORK OF THE BALKAN SUB-COMMISSION OF THE PEACE OBSERVATION COMMISSION

The Sub-Commission on the Balkans was established by the Peace Observation Commission on 23 January 1952 at the request of the General Assembly.⁷⁷

At its first meeting in Paris on 31 January the Sub-Commission decided, in accordance with its terms of reference and at the request of Greece, to send observers to the frontier areas of that country. It invited the Member States represented on the Sub-Commission—Colombia, France, Pakistan, Sweden and the United States—each to make an observer available to the Sub-Commission. The United Kingdom, furthermore, was invited to make an observer available to serve as principal observer. The Governments concerned took action accordingly.

At its next meeting on 2 May in New York, the Sub-Commission took note of the first situation report from the observers and approved various provisional instructions. The observers were requested to forward periodic general reports giving a factual and technical appraisal of the situation. Matters regarded as of particular importance were to be the subject of special reports. The observers were instructed to report on incidents to which the Greek Government called their attention, and also, in so far as they were clearly in a position to do so, to report on incidents which

had been the subject of complaints by Albania or Bulgaria in communications to the Secretary-General. A number of such complaints were received during 1952. Albania and Bulgaria did not during the year admit the observers to their territories.

Apart from the periodic reports, which noted a generally quiet situation along the Greek frontier, the observers also submitted special reports on three occasions in 1952: one regarding a frontier incident on the Greek-Albanian frontier on 16 July in which a Greek citizen was killed (A/CN.7/SC.1/17); another regarding some frontier incidents occurring on 26 and 27 July along the Evros river on the Greek-Bulgarian frontier during which four Greek citizens were killed (A/CN.7/SC.1/29); and a third report regarding an incident on 12 August in the Belles Mountains on the Greek-Bulgarian frontier during which two Greek soldiers were killed (A/CN.7/SC.1/35).

The Balkan Sub-Commission took note of the various reports from the observers, but did not find it necessary to report to the Peace Observation Commission during 1952. On 12 December 1952, the Peace Observation Commission decided to continue the Sub-Commission with the same authority and the same membership (A/CN.7/8).

I. 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 first brought before the General Assembly by India in 1946, and was discussed at the first, second, third, fifth and sixth sessions. None of the resolutions adopted by the Assembly had been implemented before the opening of its seventh session.

On 12 January 1952, during its sixth session, the General Assembly adopted resolution 511 (VI) recommending the establishment of a commission of three members to assist the parties, namely India, Pakistan and the Union of South Africa, in carrying through appropriate negotiations.⁷⁸ If members of the commission were not nominated by the parties, the Secretary-General was requested, at his discretion, to assist them with a view to facilitating negotiations and, after consulting the

Governments concerned, to appoint an individual for the purpose. The resolution stipulated that the question should be included in the agenda of the Assembly's seventh session.

1. Report of the Secretary-General

In a special report (A/2218) on 10 October 1952, the Secretary-General informed the General Assembly of developments since the adoption of resolution 511 (VI) including the failure of the parties concerned to nominate members to the proposed commission. On 22 February 1952 the

⁷⁷ See Y.U.N., 1951, pp. 14, 328-30.

⁷⁸ See Y.U.N., 1951, p. 353. One member was to be nominated by the Union of South Africa, one jointly by India and Pakistan, and the third by the other two members or, in default of agreement between them within a reasonable time, by the Secretary-General.

Union of South Africa informed the Secretary-General that it was not able to accept the terms of the resolution, as it constituted interference in a matter which was essentially within the Union's jurisdiction, but expressed readiness to participate in a round-table conference on the basis of the formula agreed to at Capetown in February 1950, a formula which allowed the widest freedom of discussion to all parties without any further conditions.

India, on 27 February 1952, indicated that, for reasons previously explained, it could not agree to the resumption of the negotiations on the basis proposed by the Union's Government. The reasons included refusal of the Union not to add to the disabilities of persons of Indian origin pending the proposed round-table conference. It added that, in view of the Union's reply, the nomination of the joint representative of India and Pakistan on the proposed commission could serve no useful purpose.

On 3 March 1952 Pakistan stated that, in view of the conflicting and irreconcilable points of view contained in the communications from the Union Government and India, it was clear that no useful purpose would be served by nominating the joint representative.

Subsequent consultations with representatives of the three Governments concerned and with those of other Governments forced the Secretary-General, the report stated, to the conclusion that there was at present no possible solution to the problem and that, consequently, the appointment of an individual under the terms of paragraph 3 of resolution 511(VI) was not yet opportune.

The special report concluded by stating that in late September 1952 the three Governments concerned informed the Secretary-General of their recent positions regarding resolution 511(VI), positions which were substantially the same as those taken in the course of the debate at the Assembly's sixth session.

Pursuant to resolution 511(VI), the question was placed on the provisional agenda of the Assembly's seventh session. At the 79th meeting of the General Committee, on 15 October, and at the 380th plenary meeting, on 16 October 1952, the representative of the Union of South Africa argued that the subject was not one which could be appropriately considered by the Assembly because it concerned a matter essentially within the domestic jurisdiction of the Union of South Africa.

The General Committee recommended its inclusion. The General Assembly, by 46 votes to one,

with 6 abstentions, rejected a formal proposal of the representative of the Union Government to exclude the item from the agenda. It then referred the question to the Ad Hoc Political Committee which considered it at its 8th to 12th meetings from 3 to 11 November 1952.

2. Consideration by the Ad Hoc Political Committee

Opening the debate in the Ad Hoc Political Committee, the representative of the Union of South Africa stated that Article 2, paragraph 7, of the Charter debarred the Assembly from considering the matter since it fell wholly within the domestic jurisdiction of his Government. He could not, therefore, deal with the merits of the question. Certain facts, however, should be reiterated in order that the "complaint"—or, to be more correct, the "campaign"—against the Union of South Africa might be seen in its true colours. While the Charter, as drafted in San Francisco, remained unchanged, his Government would continue its stand and would not consider itself bound to give effect to Assembly resolutions on the matter.

What could the United Nations gain, he asked, by continuing year after year to adopt resolutions which, because they were unconstitutional, his Government could not accept?

The Union Government, he pointed out, had repeatedly indicated its willingness to enter into direct negotiations on the matter with India and Pakistan on the basis of the formula agreed upon between the three Governments in Capetown in 1950. Did India sincerely desire to achieve a solution on the matter, he asked, or was it merely endeavouring to keep the issue before the United Nations in order to further its own political interests? Not once since 1946 had India given any real proof that it wished to seek an amicable settlement. On the contrary, it had applied trade sanctions against South Africa and resorted to tactics which gave world opinion a distorted picture of the facts and encouraged intransigence among people of Indian origin in that country.

Despite the alleged hardships to which they were being subjected, the people of Indian origin continued to remain in the country even though the South African Government had offered to provide them with free passage to India and to pay them a special allowance.

By affording India an annual opportunity to pursue its vendetta against the Union of South Africa, the United Nations was not acting in the interest of international peace and goodwill. He

hoped that the Committee would state clearly that the Assembly did not intend to permit the United Nations to be used, unconstitutionally and improperly, as a propaganda forum for the promotion of a campaign of vilification against a Member State.

The representative of India reviewed her country's attempts since 1946 to solve the problem by direct negotiations. In accordance with resolution 265(III) it had been agreed in Capetown in 1950 to convene a round-table conference to explore all possible ways and means of settling the question. That conference had not taken place, she stated, because the Union Government had continued its policy of racial discrimination not only by its action under the Asiatic Land Tenure Amendment Act of 1949 but also by the adoption of a new racial segregation law known as the Group Areas Act. The Union Government had ignored the request of India and Pakistan to delay the enforcement of the latter Act so that the purpose of the proposed conference would not be defeated.

In resolutions 395 (V) and 511(VI) the General Assembly affirmed that a policy of racial segregation (apartheid) was necessarily based on doctrines of racial discrimination and made various recommendations for the purpose of assisting the parties to carry through appropriate negotiations, meanwhile calling upon the Union Government to refrain from the implementation of enforcement of the Group Areas Act. The South African Government, the representative of India declared, had refused to enter into any negotiations with the Governments of India and Pakistan. It was pursuing a policy of denying elementary human rights and fundamental freedoms, systematically and deliberately, to the vast majority of its non-white nationals, and events in South Africa were moving rapidly towards inevitable catastrophe. Race tension was increasing dangerously. India believed it to be its duty to plead once more before the Assembly the cause of the non-white nationals of the Union of South Africa and, in particular, that of the people of Indian origin, who were victims of that Government's policy of racial segregation. In the face of the rapidly deteriorating situation resulting from the enforcement of laws which violated the fundamental principle of the Charter, the Indian representative called on the Assembly to make a new attempt to seek an amicable settlement of the problem. India hoped that the pressure of world opinion, exercised through the United Nations, would induce the Union Government to collaborate in the quest for a solution. It was the duty of the United Nations to defend human values and fundamental human

rights without distinction of colour, race or religion. Otherwise, its prestige and authority would be seriously impaired.

Accordingly, at the eighth meeting of the Ad Hoc Political Committee on 3 November, the representative of India introduced a draft resolution (A/AC.61/L5/Rev.1), sponsored jointly by Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen. Under that draft resolution the General Assembly would:

(1) note that the Government of the Union of South Africa had continued to enforce the Group Areas Act in contravention of resolutions 395(V) and 511(VI) and would establish a United Nations Good Offices Commission with a view to arranging and assisting in negotiations between the parties to solve the dispute in accordance with the principles and purposes of the Charter and the Universal Declaration of Human Rights; and (2) call upon the Union Government to suspend implementation of enforcement of the Group Areas Act pending the conclusion of such negotiations and would include the item in the agenda of the eighth session.

At the twelfth meeting on 11 November the sponsors added a clause stating that the members of the Good Offices Commission should be nominated by the President of the General Assembly.

The representative of Pakistan noted that the question of competence of the United Nations had once again been raised by the Union of South Africa in spite of the decisions taken on the question by the overwhelming majority at previous sessions of the General Assembly. He recalled that only two delegations had voted against resolution 511(VI). Consequently, he said, the question of competence should no longer be raised. The fact that fifteen Governments were jointly sponsoring a draft resolution should be regarded by the Union of South Africa as a sign of the times. That Government must ask itself why the resolutions on the question were adopted by an increasing number of votes each year. It was in pursuance of certain moral principles which actuated the larger part of humanity that the question had been again submitted to the United Nations.

It was not possible, he declared, to reconcile the Group Areas Act adopted in June 1950 with resolution 103(I) of the Assembly whereby the Member States had pledged themselves to take the most prompt and energetic steps in order to put an immediate end to racial discrimination in the world. Articles 2 and 3 of the Act established a distinction according to colour among the Union's inhabitants in order to determine their right to occupy or own property in a given region.

That constituted racial discrimination designed to segregate various elements of the population.

The question was the action to be taken by the United Nations. The Assembly had already recommended direct negotiation between the parties, and it was proposed that that recommendation should be renewed. The Government of Pakistan would be happy to participate in such negotiations. Unfortunately this had hitherto been impossible because the Union Government had not agreed to even a temporary halt in the passage or enforcement of the Group Areas Act, which would have been a necessary condition for successful negotiations. He reviewed the failure of the measures envisaged in resolution 511 (VI) and declared that, despite the failure of these very moderate measures, the United Nations must not give up, but must adopt energetic measures to end religious persecution and racial discrimination in accordance with resolution 103(I).

Assertions by the Union of South Africa that any action by the United Nations would constitute interference should not cause the United Nations to drop the question, he said. The Assembly could not cast aside the Universal Declaration of Human Rights; it should reaffirm the principles on which the United Nations was founded. Moreover, it was impossible to say that the stand of any Government would never change. His Government did not give up hope that the Union Government would eventually accede to the United Nations appeal. It was for these reasons that Pakistan had associated itself with the other sponsors of the draft resolution.

Speaking in full support of the draft resolution, the representatives of Afghanistan, Burma, Cuba, Egypt, Ethiopia, Guatemala, Haiti, Indonesia, Iran, Iraq, Lebanon, Liberia, the Philippines, Poland, Saudi Arabia, Syria, the USSR, Uruguay and Yugoslavia emphasized that there could be no question of the competence of the General Assembly. The previous resolutions on the matter showed that the Assembly considered the question a matter of international concern. These representatives strongly objected to the South African Government's policy of racial discrimination and segregation as an offence to human dignity and a clear violation of the Charter and the Universal Declaration of Human Rights. Disregard by that Government of the Assembly's repeated recommendations was a direct challenge to principles which the Union Government had undertaken to respect, they said. They denied that there was any intention to interfere in the domestic affairs of the Union of South Africa, or

any feeling of hostility or ill-will towards the Union Government, and considered the draft resolution a moderate and conciliatory one designed to find a solution to the existing deadlock and offering a practical approach towards a peaceful settlement. All urged an early resumption of negotiations and expressed hope that the Union would realize the gravity of the deteriorating situation and would co-operate with the United Nations in bringing about a solution of the problem. Several supporters considered that the Union Government's policy would inevitably lead to disturbances and was a potential threat to international peace and security.

The representative of Afghanistan asserted that the Union Government's policy of racial discrimination and segregation contained the seeds of destruction of South African society. Its economic structure had been built on the labour of the non-white population and the unity of the country depended on the harmonious co-operation of individuals and groups in ensuring the voluntary and continuous exchange of goods and services. Thus, apart from moral and humanitarian considerations, it was primarily in South Africa's own interest to put an end to its unfair racial policy.

The representative of Mexico stated that a truly democratic society was still an ideal towards which all peoples strove, but which was still far from realization anywhere. The Committee was merely seeking a reasonable and practical solution for a problem which threatened to weaken the cordial relations which existed with the Union of South Africa.

The representative of Poland declared that the essence of the South African Government's laws, which violated fundamental rights and were permeated by a spirit of fascism, was the degradation of human beings, a weapon in a calculated campaign to maintain the non-whites in a position of economic subservience. His country's own experience made it protest all the more vigorously against racial discrimination. The attempt of the Union Government to perpetuate its policies was doomed to failure in a world where oppressed peoples were clamouring for liberation. South Africa could not stem that tide by terror, he said.

World opinion looked to the United Nations to remedy this state of affairs, said the representative of Haiti; by its dilatory action, the Organization ran a risk of undermining its own prestige.

In expressing support of the draft resolution and its desire for a peaceful settlement of the

question in accordance with the Charter, the representative of the USSR said that his Government's position was dictated by one of the fundamental principles of its policy: equality of political, economic and cultural rights for all without distinction of race. He stated that the question of the treatment of people of Indian origin in the Union of South Africa could not be considered as being exclusively within the domestic jurisdiction of the Union of South Africa as it involved violation of bilateral agreements concluded in 1927 and 1932 between the Government of India and the Union of South Africa, thereby making the matter one of international concern. The South African Government, by its attitude and its policy, was violating Article 1, paragraphs 2 and 3, of the Charter. That South Africa was practising racial discrimination in violation of paragraph 2 of that Article, he stated, was not denied by the South African representative and was proved by the texts of paragraphs 2(1) and 4(2) of the Group Areas Act.

While stating that they would vote in favour of the draft resolution, the representatives of Brazil, China, Ecuador and the United States opposed some of its provisions, particularly the fourth paragraph of the operative part calling for the suspension of the Group Areas Act.

The representative of the United States favoured conciliation rather than recrimination. He pointed out that to translate ideas into realities in the field of human relations was a long and difficult task. Despite difficulties, the direction was clearly marked by the Charter. The test was not just how bad conditions were in a country, but whether efforts were being made there to improve those conditions. There appeared to be a serious difference, he thought, between the national policy of South Africa and the whole current of modern philosophy and scientific knowledge and the line of conduct endorsed in the Charter. His Government hoped that the discussion might create an atmosphere favourable to negotiations. The United Nations should not attempt to impose any solution. Progress could be hoped for only to the extent that the parties were willing to confer. Resolutions should not be such as to excite adverse nationalist reactions, but ought rather to follow the path of accommodation through negotiation. While the United States would support the draft resolution as a whole, it felt it contained certain doubtful provisions. It was inadvisable to censure a piece of national legislation and appear to set a condition preceding negotiations between the parties.

While supporting the draft resolution, the representatives of El Salvador, Israel and Mexico suggested that the resolution be framed so as to be more readily acceptable to the Union of South Africa. The representative of Israel said that the primary concern should be to bring the parties into direct negotiation so that they might find a ground for understanding rather than express feelings and convictions. No good offices commission could reach a settlement if the parties refused to engage in direct negotiations.

The representatives of Denmark, Norway and Sweden likewise supported the resolution but said that they would abstain on the fourth paragraph concerning the suspension of the Group Areas Act. This paragraph, they considered, was not worded in such a way as to facilitate renewal of negotiations in a friendly atmosphere. The representative of Denmark suggested a number of deletions.

Expressing doubts about the competence of the Assembly and opposition to some provisions of the draft resolution, particularly its references to the Group Areas Act, the representatives of Argentina, Australia, Belgium, Colombia, France, the Netherlands, New Zealand, Turkey and the United Kingdom indicated that, while anxious that the parties open direct negotiations, they would abstain from voting on the draft resolution.

The United Kingdom was anxious lest, while examining delicate questions involving the domestic policy of any State, the Ad Hoc Committee run the risk of increasing tension between the countries concerned instead of promoting friendly relations, its representative declared. The legal situation was far from clear. Parts of the resolutions adopted by the Assembly, he considered, constituted intervention in matters within South Africa's domestic jurisdiction. It was difficult to ascertain whether by reason of earlier agreements between the governments concerned the problem went beyond the national competence of the Union and the United Nations was justified in considering it.

The representative of France observed that, despite good intentions, the draft resolution was not likely to offer a solution but rather to delay it. His Government remained convinced that a solution acceptable to all could only be reached through direct negotiation among the parties to the dispute.

The representative of Australia considered the matter outside the competence of the United Nations. He declared that the fact that the question had been the subject of Assembly resolutions

in no way implied that it was no longer the domestic jurisdiction of the State directly concerned. It was not sufficient to point to certain Articles of the Charter to justify the consideration of questions which, even if of international interest, were nevertheless a domestic concern. Article 2, paragraph 7, by reason of its position in the Charter, governed the application of all the other Articles.

A change of public opinion within a country was never, he remarked, a rapid process and could not be hastened as the result of the intervention of other countries. Aside from the merits or demerits of the law on which the Assembly was being asked to pass judgment, the Australian representative emphasized the explosive and undesirable consequences of exploiting racial issues in the United Nations. They could not be ignored but their solution required great wisdom and tolerance and could only be usefully discussed by those directly concerned. He believed that the parties should be urged to open direct negotiations.

At the conclusion of the debate, the South African representative expressed appreciation of the friendly sentiments which had been expressed towards his country by a number of delegations. His Government again urged that the provisions of Article 2, paragraph 7, of the Charter be respected. Its attitude was based on that fundamental principle which governed relations between the Organization and its Members. His delegation would have to vote against the joint draft resolution.

He repeated his Government's willingness to discuss with India and Pakistan possible ways and means of settling the matter. It was prepared to reopen direct negotiations on the understanding that these would not involve any departure from or prejudice to the standpoint of the respective Governments in regard to the question of domestic jurisdiction. Such talks, while not related to any Assembly resolutions, would permit the parties to hold a full, free and unfettered discussion.

The representative of India concluded the discussion by saying that the sponsors did not feel that the provisions of the draft resolution could be amended. She said that the representative of South Africa had implied that India had refused to reopen negotiations with the Union. However, when the preliminary talks had been held at Capetown in 1950, it had appeared that the Union had meant to discuss only the repatriation of people of Indian origin and not the removal of the discriminatory measures to which they

were subject. That was one of the main reasons why negotiations had been broken off. That this was his Government's only interest was demonstrated by the South African representative's silence when asked whether his Government would be prepared to repeal the Group Areas Act if the proposed negotiations resulted in an understanding.

Concerning the charges that the Indian Government had applied economic sanctions, she recalled that trade relations between India and South Africa had been broken off in 1946 by the United Kingdom. The charge of an Indian vendetta against the Union could not be taken seriously in view of the grave concern shown during the discussion by the vast majority of the Member States.

The Ad Hoc Political Committee at its 12th meeting on 11 November adopted the joint draft resolution, paragraph by paragraph, by votes ranging from 42 to 1, with 12 abstentions, to 30 to 12, with 16 abstentions, the latter a roll-call vote on the fourth operative paragraph, concerning suspension of the Group Areas Act.

The draft resolution as a whole was adopted by 41 votes to 1, with 16 abstentions.

3. Consideration by the General Assembly in Plenary Session

The report (A/2257) of the Ad Hoc Political Committee was considered by the General Assembly at its 401st plenary meeting on 5 December 1952. The draft resolution was adopted by a roll-call vote of 41 to 1, with 15 abstentions. The vote was as follows:

In favour: 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, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, United States, Yugoslavia.

Against: Union of South Africa.

Abstaining: Argentina, Australia, Belgium, Canada, Colombia, Dominican Republic, France, Greece, Luxembourg, Netherlands, New Zealand, Peru, Turkey, United Kingdom, Venezuela.

After the vote, the representative of India said that the continuous disregard by South Africa of previous resolutions of the General Assembly was not calculated to increase confidence in the United Nations. The Assembly was aware of the grave deterioration of the situation in South Africa. His delegation still hoped that the Union would respond to the overwhelming desire of the Assembly. His delegation sought negotiation, con-

ciliation and a peaceful settlement and would persevere in the hope that the conscience of the world would find an echo in South Africa.

The representative of the Union of South Africa concluded the discussion by restating his position. Article 2, paragraph 7, of the Charter denied the Organization the right to intervene in a matter which was essentially within the domestic jurisdiction of his Government. The matter with which the resolution dealt was undeniably such a matter. His Government was not prepared to settle it under the Charter. India knew that all it had to do was to come and discuss the matter outside the Organization and divorced from any resolutions taken by the Organization. That was the standing offer of his Government.

The text of the resolution adopted (615 (VII)) read:

"The General Assembly,

"Recalling its resolutions 44(I), 265(III), 395 (V) and 511 (VI) relating to the treatment of people of Indian origin in the Union of South Africa,

"Noting that the Government of the Union of South Africa has expressed its inability to accept General Assembly resolution 511 (VI) in respect of the resumption of negotiations with the Governments of India and Pakistan,

"Noting further that the Government of the Union of South Africa has continued to enforce the Group Areas Act in contravention of the terms of General Assembly resolutions 511 (VI) and 395 (V),

"1. Establishes a United Nations Good Offices Commission consisting of three members to be nominated by the President of the General Assembly, 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 in order that a satisfactory solution of the question in accordance with the Purposes and Principles of the Charter and the Universal Declaration of Human Rights may be achieved;

"2. Requests the Good Offices Commission to report to the General Assembly at its eighth session;

"3. Requests the Secretary-General to provide the members of the Commission with the necessary staff and facilities;

"4. Calls upon the Government of the Union of South Africa to suspend the implementation or enforcement of the provisions of the Group Areas Act, pending the conclusion of the negotiations referred to in paragraph 1 above;

"5. Decides to include the item in the provisional agenda of the eighth session of the General Assembly."

At the 411th plenary meeting on 22 December the President of the General Assembly announced the appointment of Cuba, Syria and Yugoslavia as members of the Good Offices Commission.

J. THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA

On 12 September 1952 Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen requested (A/2183) that the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa be placed on the agenda of the seventh session of the General Assembly.

An explanatory memorandum stated that this race conflict in the Union of South Africa was creating a dangerous and explosive situation, which constituted both a threat to international peace and a flagrant violation of the basic principles of human rights and fundamental freedoms enshrined in the Charter. The memorandum said that under the policy of apartheid, which implied a permanent white superiority over the 80 per cent of the population who were non-whites, the following measures were being taken: segregation of races under the notorious Group Areas Act, complete segregation in public services, suppression of democratic movements advocating racial equality under the Suppression of Communism Act, barring of non-whites from combat service, withholding of voting or other political rights

from non-whites except in Cape Province, confinement of Africans to reserves and restriction of their movement, exclusion of non-whites from skilled work under the Mines Works Amendment Act and provision of vastly inferior educational and housing conditions for non-whites. The policy of apartheid not only challenged all that the United Nations stood for but was contrary to specific and repeated recommendations in Assembly resolutions 103(I), 217(III), 395 (V) and 511 (VI) urging the ending of racial discrimination. Unable to secure redress by constitutional methods, the non-whites of the Union had been compelled to launch a non-violent resistance movement against unjust and inhuman racial policies. It was therefore imperative, the memorandum concluded, that the General Assembly urgently consider the question so as to prevent further deterioration and effect a settlement in accordance with the Charter.

At the 79th meeting of the General Committee on 15 October, the representative of the Union of South Africa protested formally against the inclusion of the item in the agenda. After hearing statements from the representatives of India,

Iraq and the United Kingdom the Committee recommended that the item be included.

On 17 October the General Assembly, at its 381st plenary meeting, considered the recommendation of the General Committee. The representative of the Union of South Africa, supported by the representatives of Australia and the United Kingdom, challenged the competence of the Assembly to consider the item and asked that the Assembly decide upon that question before voting on the recommendation of the General Committee to include the item in the agenda. Under rule 80⁷⁹ of the rules of procedure, he introduced a draft resolution (A/L.108) to the effect that the Assembly, having regard to Article 2, paragraph 7, of the Charter, should decide that it was not competent to consider the item.

The representatives of Chile and Iraq stated that all questions relating to human rights were within the Assembly's competence. Moreover, the representative of Chile argued, the question before the Assembly was the Committee's recommendation for inclusion of the item in the agenda, not the question of competence which could be discussed only after the item was on the agenda. The President ruled that the proposal of the Union of South Africa was in order. After an appeal against the President's ruling, the latter was over-ruled by a roll-call vote of 41 to 10, with 8 abstentions. The voting was as follows:

In favour: Australia, Belgium, Canada, France, Luxembourg, Netherlands, New Zealand, Union of South Africa, United Kingdom, United States.

Against: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, Chile, China, Colombia, Costa Rica, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Abstaining: Brazil, Cuba, Dominican Republic, Greece, Iceland, Israel, Nicaragua, Turkey.

The representative from South Africa then moved that the item should be excluded from the agenda on the ground that the United Nations was not competent to deal with or even discuss the matter. The General Assembly, by a vote of 45 to 6, with 8 abstentions, decided to accept the General Committee's recommendation to include the item in the agenda.

At its 382nd meeting on 17 October, the General Assembly referred the item to the Ad Hoc Political Committee which considered the question at its 13th to 21st meetings from 12 to 20 November 1952.

1. Consideration by the Ad Hoc Political Committee

The representative of the Union of South Africa outlined the factors which, in his Government's opinion, should preclude discussion of the item. Article 2,⁸⁰ paragraph 7, absolutely prohibited any intervention by the United Nations in the domestic affairs of Member States, with the single exception of the application of enforcement measures by the Security Council under Chapter VII.⁸¹ The word "intervene" was not used, he argued, in the narrow restrictive sense of dictatorial interference but included such interference as the discussion of, and passing of resolutions by the Assembly on, the essentially domestic affairs of a Member State. Even the right of discussion conferred on the Assembly by Articles 10 and 11⁸² could not be invoked if the discussion constituted such intervention.

The Charter, he argued, left it to each Member individually to decide upon the methods of achieving such objectives mentioned in Article 55 as higher standards of living, full employment and respect for human rights. Action at an international level, on the other hand, was to be taken only by agreement between States. The pledge of international co-operation given in Article 56 to promote the purposes of Article 55 did not diminish the right of States to repel interference in their domestic affairs, or authorize the United Nations to take dictatorial action by way of discussion or resolutions.

Neither the Charter nor the Declaration of Human Rights, which set a standard for future achievement, nor any other international instrument contained a binding definition of human rights against which the actions of the South African Government could be tested.

It had been further alleged, he said, that conditions in South Africa constituted a threat to the peace. But such a threat could exist only when the territorial integrity or political independence of another State was threatened. It was both unrealistic and mischievous to allege the existence of such a threat in consequence of legitimate State action designed to deal with purely domestic matters which did not affect the legitimate in-

⁷⁹ Rule 80 states that any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to a vote before a vote is taken on the proposal in question.

⁸⁰ For text of this Article, see p. 10.

⁸¹ Chapter VII concerns action with respect to threats to the peace, breaches of the peace, and acts of aggression.

⁸² For text of these Articles, see p. 11.

terests and rights of other states. If the Committee could be led to believe that racial or other forms of segregation—which existed in a large number of countries—education, housing, conditions of recruitment for the armed services, the administration of justice and other matters referred to in the memorandum were not entirely within the domestic jurisdiction of a State, then the same must hold good for matters such as tariff, immigration and fiscal policies which certainly affected relations between States but which nevertheless continued to be the sole responsibility of the individual government concerned.

Article 2, paragraph 7, he said, served as a counter-balance to the absolute right of veto of the Great Powers and granted to the small nations protection of their inherent right freely to manage their domestic affairs. But for the compromises exemplified for the Great Powers by the right of veto and for the small Powers by Article 2, paragraph 7, there could have been no Charter.

Until such time as the Charter was amended by constitutional means, it must remain inviolate. It would be wise and statesmanlike to reflect carefully before taking any steps likely to result in the disintegration of the United Nations which could still become the greatest bulwark of world peace and security.

Accordingly, the South African representative introduced a motion (A/AC.61/L.6 and Corr.1), under rule 120 of the rules of procedure, whereby the Committee, having regard to Article 2, paragraph 7, would find that it had no competence to consider the item.

The representative of India stressed that the issue of competence could not be considered until the Committee had been enabled to weigh that issue against the background of the facts of apartheid policy as practised by the Union of South Africa. Apartheid policy, she declared, sought to force the 80 per cent of the population who were non-white into perpetual economic and social servitude by racial discrimination and segregation in violation of human rights and fundamental freedoms and of the principles of the Charter.

After reviewing the principal legislative acts adopted to implement that policy, the Indian representative declared that the non-white population, deprived of legal means to seek redress of its grievances, had begun a campaign of passive resistance. Selected volunteers, after advance notice to the police authorities, defied various laws and regulations deriving from the apartheid policy.

Over 7,000 persons had sought arrest and been sentenced to imprisonment. Despite great provocation by the police and fanatical white elements, the peaceful character of the movement had been maintained.

The international implications of South African policies, she observed, were clear to all Member States which had pledged themselves to uphold basic principles of the Charter concerning the observance of human rights. The situation was imperilling the entire continent of Africa. Unless the United Nations acted rapidly, the world would be threatened with a new conflict.

India, she concluded, would welcome a study of the situation with a view to assisting the South African Government to resolve it on a humanitarian and rational basis of mutual toleration and understanding among all racial groups. It did not seek to condemn South Africa; it harboured no rancour; it sought only to end a situation as degrading to those who enforced the discrimination laws as to the victims. In addition to the South African motion (see above), the Committee had before it:

(1) An eighteen-Power joint draft resolution by Afghanistan, Bolivia, Burma, Egypt, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Philippines, Syria, Saudi Arabia and Yemen (A/AC.61/L.8/Rev.1), by which the General Assembly would:

(1) note the communication (A/2183) by thirteen Members on the question of race conflict in South Africa; (2) state that one of the purposes of the United Nations was to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedom for all; (3) recall its resolution 103(I) calling on all governments to take energetic steps to end religious and so-called racial persecution; (4) refer to its resolutions 395(V) and 511(VI) holding that a policy of apartheid was based on doctrines of racial discrimination; and (5) state that international co-operation could not be furthered and that international peace might be disturbed by policies of racial discrimination and persecution. In its operative part the draft resolution would have the Assembly: (1) establish a commission to study the international aspects and implications of the racial situation in the Union of South Africa in the light of the Charter and the resolutions of the United Nations on racial persecution and discrimination, and to report its findings to the eighth session of the Assembly; (2) invite the Union of South Africa to co-operate with the commission; and (3) decide to retain the question on the agenda of the eighth session.

(2) A joint draft resolution by Denmark, Iceland, Norway and Sweden (A/AC.61/L.12) which consisted of the first three paragraphs of the eighteen-Power joint draft resolution and four new paragraphs.

These four new paragraphs, which had originally been moved as an amendment (A/AC.61/L.9) to the eighteen-Power draft to replace the last two paragraphs of the preamble and all but the last paragraph of the operative part, would have the General Assembly, recognizing that the methods of Members for giving effect to their Charter pledges might vary with circumstances such as the social structure of the States concerned and the different stages of development of the various groups within the country:

(1) declare that in a multi-racial society, respect for human rights and the peaceful development of a unified community were best assured when patterns of legislation and practice were directed towards ensuring equality before the law of all persons, and when economic, social, cultural and political participation of all racial groups was on a basis of equality; (2) affirm that governmental policies not directed towards those goals were inconsistent with pledges of Members under Article 56 of the Charter; and (3) call upon all Members to bring their policies into conformity with their Charter obligations to promote the observance of human rights and fundamental freedoms.

The representatives of Denmark, Norway and Sweden explained the position of the Scandinavian countries. While they could not subscribe to the rather extreme position taken by the South African representative on the Assembly's competence, they could not agree, also, to all the provisions of the eighteen-Power draft resolution. They felt that the United Nations, in matters of racial discrimination, could make recommendations but was not competent to prescribe specific measures to be imposed on a State. The establishment of a fact-finding commission, they considered, was a step on which the Assembly lacked jurisdiction. Moreover, such a commission was not likely to achieve any practical results. These representatives affirmed the competence of the Assembly to discuss the question, stating that the Charter imposed on Members the obligation not to bar discussion or adoption of recommendations by the United Nations on their policies in the field of human rights. They cited previous Assembly recommendations on racial policies of Member States as well as recommendations for the investigation of alleged forced labour, despite objections regarding competence.

As regards the merits of the question, the representative of Norway stated that he could not accept the South African representative's contention that the matters complained of did not constitute a violation of human rights and fundamental freedoms as laid down in the Charter. Mere reading of the Group Areas Act, he maintained, appeared to justify the claim that the Act

legalized actions which all Member States had pledged to abandon.

(3) The following amendments to the eighteen-Power joint draft resolution were also placed before the Committee:

(a) An amendment by Brazil (A/AC.61/L.10) which would alter the terms of reference of the proposed commission by directing it to study the racial situation in the Union of South Africa "with due regard to the provisions of Article 2, paragraph 7", and to report its "conclusions" instead of its "findings" to the General Assembly. The representative of Brazil explained that the proposed amendment was to remove all misunderstanding concerning the powers of the proposed commission and the competence of the Assembly. The Committee, he said, must respect the limitation imposed upon it by the Charter and must not encroach upon the domestic jurisdiction of States.

(b) An amendment by Ecuador (A/AC.61/L.11) which would: (1) eliminate from the study of the proposed commission examination of "the international aspects and implications of" the racial situation in order, as its representative said, to make the proposal less controversial; (2) delete the last paragraph of the preamble which, he stated, prejudged the question to be studied by prescribing a strong criterion for that study; and (3) also delete the last operative paragraph providing for retention of the question on the agenda of the eighth session.

(c) An amendment by Israel (A/AC.61/L.13) which would have the proposed commission report "its conclusions to the Secretary-General for transmission to the Members of the United Nations" instead of report "its findings to the eighth session of the General Assembly". The representative of Israel felt that to perpetuate items by placing them on the agenda year after year, without regard to intervening developments, might be harmful and was a practice which should be discouraged.

(d) An oral proposal by Mexico which would supplement the first part of the Brazilian amendment by directing the commission to study the racial situation with due regard not only to the provisions of Article 2, paragraph 7, but also to the provisions of Article 1, paragraph 3, Article 13, paragraph 1 (b), Article 55 (c) and Article 56 of the Charter. The proposed commission would thus, the representative of Mexico said, be given balanced terms of reference; it would have an adequate legal basis on which to operate; it would be taking account of the Charter guarantee against intervention in domestic affairs, on the one hand, and of the Charter guarantees regarding human rights, on the other hand. The representative of Brazil accepted the amendment.

(e) A USSR amendment (A/AC.61/L.15) to the first operative paragraph which proposed that the commission to be set up should study the racial situation not only in the light of the Charter provisions enumerated, but also in the light of Article 1, paragraph 2, which proclaimed that one of the purposes of the United Nations was to develop friendly relations among the nations based on respect for the principle of equal rights and self-determination of peoples.

The representative of India submitted, on behalf of the sponsors, and after consultation with

the representatives of Brazil, Ecuador and Mexico, a revision (A/AC.61/L.8/Rev.2)⁸³ of the eighteen-Power joint draft resolution which deleted from the original text the last paragraph of the preamble and amended the terms of reference of the commission proposed in the first operative paragraph, thus incorporating the Brazilian amendment and the first two parts of the Ecuadorean amendment. The representative of Ecuador withdrew the third part of his amendment. At the same time the representative of India suggested on behalf of the sponsors that, so far as the membership of the proposed commission was concerned, the President of the General Assembly should nominate as members three persons from a panel of experts on race relations selected by the sponsors of the draft and submitted to the President before the item was dealt with in plenary meeting.

The representatives of Australia, Belgium, France, New Zealand, and the United Kingdom supported, in general, the position of South Africa on the meaning of the Charter provision on domestic jurisdiction and the nature of international commitments on human rights. They were of the opinion that the policy of apartheid in South Africa was not a threat to the peace and that the suggested Assembly action was both improper and dangerous to the United Nations and unlikely to contribute to a solution of the problem. They held that United Nations interference, even to the extent of discussion, could only exacerbate racial antagonism in the Union of South Africa and might even be harmful to international relations, thus defeating the very purposes which the sponsors of the item had hoped to achieve.

Nothing, it was stated, was more obviously a matter of a country's domestic jurisdiction than the relationship which it had decided to maintain between persons of varying races living within its borders. If the General Assembly was considered in the present instance to be competent under Articles 55 and 56, it must in strict logic be regarded as having jurisdiction to deal not only with human rights but also with the economic, social and cultural activities referred to in Article 55. In other words, no aspect of the internal affairs of a State would be free from interference by the Organization.

Clearly, the purpose of any discussion or resolution was to modify a situation and that was precisely the meaning of the word "intervention". Article 2, paragraph 7, therefore applied to such discussion.

Even if it was argued that the situation in South Africa had become a matter of world interest, it

could not be seriously claimed that thereby it became removed from the sphere of domestic jurisdiction to the international jurisdiction of the United Nations. Indignation at policies of racial or social discrimination pursued by certain governments, however well-founded, was not sufficient to make a question a threat to international peace. No flood of refugees had crossed from South Africa to a neighbouring State. On the contrary, statistics indicated that each year 100,000 Africans entered the Union of South Africa of their own free will. Except for New Zealand which abstained on all draft resolutions, these representatives supported the South African draft resolution but abstained on the others.

In reply, the representative of India said that one of the purposes of the United Nations, as stated in Article 1, paragraph 3, of the Charter, was to promote respect for human rights and fundamental freedoms for all. Under Article 10, the Assembly could discuss any question within the scope of the Charter and make recommendations on it to the Members. Moreover, Article 13 required the Assembly to initiate studies and make recommendations to assist in the realization of human rights for all. Under Article 14, the Assembly could recommend measures for the peaceful adjustment of a situation resulting from a violation of the provisions of the Charter. Respect for human rights having been included in the Charter, any infringement of those rights was a matter within the Assembly's competence. Article 55 of the Charter also required the United Nations to promote respect for human rights and fundamental freedoms for all. Its Members had pledged themselves under Article 56 to take action in co-operation with the Organization for the achievement of those purposes. Finally, Article 2, paragraph 2, stated that Members should fulfil in good faith the obligations assumed by them in accordance with the Charter. Thus the provisions of the Charter clearly established the competence of the Assembly to consider the question under discussion. Acceptance of the contention that the Assembly was not competent would open to challenge the validity of all the decisions by the General Assembly relating to the infringement of human rights.

The General Assembly was also empowered to consider the question under Article 11 of the Charter because the situation in South Africa resulting from the policy of apartheid was grave and clearly constituted a threat to international peace, the maintenance of which was one of the

⁸³ For text see resolution A below as adopted by the General Assembly.

primary purposes of the United Nations. The concept of a threat to peace was not confined to the case of a threat to the territorial integrity and political independence of a State. Flagrant breaches of human rights by the government of a State could have serious repercussions outside that State and could affect international peace.

Turning to the argument that Article 2, paragraph 7, precluded the General Assembly from considering the item, the representative of India said that there were two essential prerequisites to its application. First, there must be intervention by the United Nations and, secondly, the matter in question must be essentially within the domestic jurisdiction of a State.

"Intervention" in this connexion had been authoritatively defined, he said, as a legal measure applied by the United Nations and accompanied by enforcement or threat of enforcement. In his opinion, Article 2, paragraph 7, did not preclude a consideration of situations arising from violations of human rights nor prevent the Assembly from making recommendations on such situations.

Concerning the word "essential" as used in Article 2, paragraph 7, he observed that international law maintained a clear distinction between matters within the domestic jurisdiction of a State and those which had passed into the international domain. A matter ordinarily within the domestic jurisdiction of a State could cease to be so and become the subject of an international obligation if, for example, it formed part of the terms of a treaty. The Charter was a multilateral treaty; the question of human rights and fundamental freedoms had therefore passed into the international domain. Thus the policy of apartheid had become a matter of international concern and could not be treated as being essentially within the domestic jurisdiction.

As neither of the two prerequisites existed necessary to the application of Article 2, paragraph 7, the Assembly was competent to act.

A large majority of the Committee, including the sponsors of the eighteen-Power resolution, joined with India in expressing, with varying degrees of emphasis and frequently with illustrations drawn from their national experience, their moral indignation at the policy of racial inequality in the Union of South Africa. Specifying their views on how it violated the Charter and created conditions which were a threat to international peace, they affirmed the competence of the United Nations and the need for construc-

tive action. Apart from the representatives of the eighteen-Powers sponsoring the joint draft resolution, this majority included the representatives of Bolivia, Brazil, the Byelorussian SSR, Chile, Cuba, Czechoslovakia, Ecuador, El Salvador, Ethiopia, Israel, Mexico, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR, Uruguay and Yugoslavia. They opposed the South African resolution, supported the eighteen-Power draft resolution and abstained on the Scandinavian draft resolution, except for the Byelorussian SSR, Czechoslovakia, Mexico, Poland, the Ukrainian SSR and the USSR which opposed the latter.

Speaking as a sponsor of the eighteen-Power draft resolution, the representative of Pakistan said that by lowering the status of the original inhabitants of South Africa to the advantage of a minority representing the conquerors of that country, the Government of the Union of South Africa was practising a form of colonialism against which a struggle was being waged in the United Nations. The present dispute as regards the Assembly's competence was a part of that struggle. When asked to alter their inflexible policies, the European colonial Powers and their friends immediately raised the issue of United Nations competence. On the other hand, he said, the support of most North and South American countries was heartening. The representative of Pakistan warned the colonial Powers that attempts to enforce their position by raising legal technicalities, by brute force and by inhuman laws would finally result in an inevitable bloody clash. The strong moral right of the African peoples to rebel could not be denied. Fortunately, he concluded, the United Nations possessed the means and the wisdom to transform what would otherwise be a bloody revolution into a bloodless one.

While recognizing that the situations existing in many Member States were very far from the Charter ideal, several representatives, including those of Costa Rica, Cuba, Haiti, Liberia and Uruguay stated that their Governments were doing everything in their power to remedy the situation. Unfortunately the Union of South Africa, on the other hand, it was stated, was taking action that aggravated still further the discrimination existing in that country and refused to discuss the substance of the question. To show that it was possible to achieve co-operation between all the racial groups in a country, representatives cited the examples of Ecuador, Mexico, Indonesia and Haiti. It was said that the Union Government's uncompromising attitude had made such co-operation impossible for the time being.

Many supporters emphasized that they wished to have friendly relations with the Union of South Africa and that they had no intention of intervening in its internal affairs. The eighteen-Power draft resolution, said the representative of Mexico, was not intended to offend or condemn South Africa. Mexico was not voting against any nation but for a principle and against the violation of that principle. The proposed commission, said the representative of Indonesia, was a moderate and realistic approach which would help place the problem in its true perspective.

In expressing their strong support for the eighteen-Power draft resolution, the representatives of the USSR and other Eastern European States particularly stressed the connexion between racial discrimination and colonialism.

The representatives of Czechoslovakia and the USSR stated that the racial policies of the South African Government were designed to perpetuate the colonial domination of its ruling circles over oppressed and exploited peoples. The Union Government's policy, they maintained, represented a systematic and conscious violation of the Charter and its consequences were a threat to international peace and security.

The representative of the USSR added that the proposed commission might not only contribute to a solution of the South African problem, but to the elimination of racial persecution in other countries. He expressed the position of the Eastern European governments when he opposed all amendments attempting to weaken the original text and criticized strongly the Scandinavian draft resolution which, he declared, consisted of pious hopes designed to cover up South Africa's violation of the Charter. His Government vigorously rejected its reflection of the view that, while increasing restrictions were objectionable, existing restrictions might be countenanced.

During the debate, the representative of Liberia proposed that the Committee hear a native of South Africa, Professor Z. K. Matthews, an authorized representative of the African National Congress. The Chairman appealed to him not to press his request in order not to create a precedent by granting a hearing to a private individual in a political committee and because he could have a letter from Professor Matthews circulated as a Committee document. On 19 November, at the request of the delegation of Haiti, a letter (A/AC.61/L.14) from Professor Matthews, dated 17 November, was circulated in which he stated that he had been instructed by his college in South Africa, which had been subjected to warn-

ing pressure by the Union Government, not to accept an invitation to appear.

A number of representatives, including those of Canada, China, Peru and the United States, supported the Scandinavian compromise proposal. They expressed the conviction that the United Nations was competent to discuss racial policy of a Member State but questioned the correctness or the desirability, in terms of actually improving race relations in South Africa, of doing more than appeal to all Member States to bring their policies into conformity with the Charter obligation of promoting the observance of human rights.

The representative of the United States maintained that the South African representative's interpretation of Article 2, paragraph 7, narrowed excessively the scope of the Assembly's powers to discuss the vital question of human rights. The representative of Canada added that it also impaired the Assembly's right to make recommendations for the peaceful adjustment of any situation deemed likely to impair friendly relations among nations. They, however, felt that the Assembly should proceed with great caution. The representative of the United States questioned the wisdom of the South African Government, however, in adopting a policy of racial segregation at a time when world trends were against it. He considered that a policy of increased restriction was incompatible with the generally accepted interpretation of the obligations of the Charter.

The representative of Peru felt that, until an effective legal instrument obliging nations to implement human rights had been ratified, the General Assembly, in exercise of what might be called its moral jurisdiction, could do no more than appeal to the goodwill of States to promote their observance. Any coercion would exacerbate South African nationalism and tend to stiffen the resistance of the South African Government.

A number of representatives, including those of Canada, Denmark, Iceland, the Netherlands, New Zealand, Norway, Sweden and Turkey, remarked that they would support a request for an advisory opinion from the International Court of Justice on the question of competence. The representative of Denmark declared that, in the absence of such an authoritative legal opinion and because of the divergence of views on competence, even if the matter was of great concern to many Member States, the General Assembly should proceed with the greatest caution.

In a final statement, the Indian representative said that the facts adduced by the sponsoring

delegations of the eighteen-Power draft resolution had not been controverted. All the arguments against this draft had been on the purely legal ground of competence. Concerning doubts expressed about the establishment and effectiveness of a commission, he said that, even if the Union Government did not co-operate, the commission could still collect and examine legislation and other evidences regarding the problem. It was the duty of the United Nations to study the situation. As to the Scandinavian draft resolution, there seemed little object in reiterating declarations, however praiseworthy, which had already been made in the Charter and in many previous Assembly recommendations. The question before the Committee referred to the specific policy of apartheid in the Union of South Africa and called for a specific solution.

In his concluding remarks, the representative of South Africa described Article 2, paragraph 7, as a safeguard against the use of the United Nations as a means of prosecuting feuds and rivalries in the spotlight of a world organization. Such absolute insurance against intervention was necessary because widely divergent domestic problems could not be solved by a single universal approach. There was as yet no legally binding international instrument on human rights. The Charter called only for their promotion through international co-operation.

Certain representatives, he said, seemed to consider that the Charter might be interpreted to suit changing events. But the United Nations had no right to act as a supra-national organization and to usurp the sovereignty of individual Members. His Government recognized the dynamic nature of the United Nations, but it persisted in its adherence to certain constant principles, such as the San Francisco interpretation of the Charter.

The charge that the alleged happenings in South Africa threatened the peace was without foundation and a reprehensible attempt to persuade the United Nations to intervene in domestic affairs.

It was not true that conditions in South Africa were leading to a general conflagration on the African Continent. If, however, the South African Government were to allow the agitators and their foreign masters to go about their subversive work, the situation might indeed become serious.

On 20 November the Ad Hoc Political Committee proceeded to vote on the draft resolutions and the amendments.

The motion (A/AC.61/L.6) submitted by the Union of South Africa was rejected by a roll-call vote of 45 to 6, with 8 abstentions.

The USSR amendment (A/AC.61/L.15) to the eighteen-Power draft resolution was adopted by 29 votes to 5, with 23 abstentions. The amendment of Israel (A/AC.61/L.13) was rejected by 33 votes to 2, with 23 abstentions. The various paragraphs of the eighteen-Power draft resolution were adopted by votes ranging from 44 to 1, with 12 abstentions, to 32 to 7, with 18 abstentions. The joint draft resolution as a whole, as amended, was adopted by a roll-call vote of 35 to 2, with 22 abstentions.

The Committee then voted, paragraph by paragraph, on the joint draft resolution (A/AC.61/L.12) submitted by Denmark, Iceland, Norway and Sweden. All paragraphs were adopted except the last paragraph of the preamble recognizing that the methods for giving effect to their Charter pledges might vary with circumstances such as the social structure of the State concerned. That paragraph was rejected by a vote of 20 to 17, with 21 abstentions.

The draft resolution as a whole, as modified, was approved by a roll-call vote of 20 to 7, with 32 abstentions.

2. Consideration by the General Assembly in Plenary Session

The report (A/2276) of the Ad Hoc Political Committee was considered by the General Assembly at its 401st plenary meeting on 5 December 1952. The representative of the Union of South Africa introduced a motion under rule 80 of the rules of procedure by which the Assembly would, in view of the Charter provisions on the question of domestic jurisdiction, declare itself unable to adopt either of the two draft resolutions recommended in the report. The motion was rejected by a roll-call vote of 43 to 6, with 9 abstentions. The voting was as follows:

In favour: Australia, Belgium, France, Luxembourg, Union of South Africa, United Kingdom.

Against: Afghanistan, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, USSR, United States, Uruguay, Yugoslavia.

Abstaining: Argentina, Canada, Dominican Republic, Greece, Netherlands, New Zealand, Peru, Turkey, Venezuela.

The Assembly then voted on resolution A recommended by the Ad Hoc Political Committee (originally the eighteen-Power draft resolution).

The first operative paragraph establishing a commission was voted on by roll-call and adopted by 35 votes to 17, 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, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yugoslavia.

Against: Australia, Belgium, Denmark, Dominican Republic, France, Greece, Iceland, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Peru, Sweden, Turkey, Union of South Africa, United Kingdom.

Abstaining: Argentina, Canada, China, Colombia, Paraguay, United States, Venezuela.

The draft resolution as a whole was adopted by a roll-call vote of 35 to 1, with 23 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, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yugoslavia.

Against: Union of South Africa.

Abstaining: Argentina, Australia, Belgium, Canada, China, Colombia, Denmark, Dominican Republic, France, Greece, Iceland, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Sweden, Turkey, United Kingdom, United States, Venezuela.

Before the voting on resolution B (originally the joint draft resolution by Denmark, Iceland, Norway and Sweden), the representative of Mexico expressed opposition to including the first paragraph of the preamble, referring to the specific situation in South Africa, in a resolution which, he said, was a noble general declaration of principles on matters of racial discrimination. He requested a separate vote on that paragraph.

The paragraph was adopted by 25 votes to 10, with 18 abstentions.

The draft resolution as a whole was adopted by a roll-call vote of 24 to 1, with 34 abstentions. Voting was as follows:

In favour: Argentina, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, El Salvador, Guatemala, Iceland, Israel, Mexico, Netherlands, Norway, Pakistan, Panama, Paraguay, Peru, Sweden, United States, Uruguay.

Against: Union of South Africa.

Abstaining: Afghanistan, Australia, Belgium, Burma, Byelorussian SSR, Czechoslovakia, Dominican Republic, Ecuador, Egypt, Ethiopia, France, Greece, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Luxembourg, New Zealand, Nicaragua, Philippines, Poland, Saudi Arabia, Syria, Thailand, Turkey, Ukrainian SSR, USSR, United Kingdom, Venezuela, Yugoslavia.

The representatives of the United Kingdom, France, India, and the Union of South Africa explained their votes.

The representatives of France and the United Kingdom stated that, in the view of their delegations, the placing of the item on the agenda and all discussion on the substance of it was out of order, as the matter was essentially within the domestic jurisdiction of South Africa. They had accordingly abstained from voting on the two draft resolutions except on the first operative paragraph of Draft Resolution A, establishing a commission. They had voted against this paragraph, since they considered it a clear violation of Article 2, paragraph 7, of the Charter.

The representative of India declared that India had abstained on Resolution B because it did not have a direct bearing on the issue of race conflict in South Africa. The Assembly, she continued, could not shut its eyes to the fact that in South Africa there was an ever growing intensification of the policy of racial discrimination through all channels open to a government. Human rights and fundamental freedoms were being denied on the grounds of race and colour to an overwhelming majority by a small minority which retained all the resources of the State in its hands. All Member States must rally whenever the principles and purposes of the Charter were challenged. Africa and Asia would no longer accept the indignities imposed on them in the name of a white civilization. The demand was for a human civilization based on the universal standards of the Charter.

The representative of the Union of South Africa stated that, in adopting the two resolutions, the Assembly had not only denied to his Government its rights under the Charter but had clearly established a precedent in consequence of which it would in future seek to intervene by discussion and the adoption of resolutions on any matter of purely domestic concern. He had been instructed by his Government, he said, to state that it would continue to claim the protection inscribed in Article 2, paragraph 7, of the Charter and that it must therefore regard any resolution emanating from a discussion on, or the consideration of, the present item as ultra vires and, therefore, as null and void.

The resolutions adopted by the Assembly (616 A & B (VII)) read:

"The General Assembly,

"Having taken note of the communication dated 12 September 1952, addressed to the Secretary-General of

the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa,

"Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

"Recalling that the General Assembly declared in its resolution 103(I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution, and called upon all governments to conform both to the letter and the spirit of the Charter and to take the most prompt and energetic steps to that end,

"Considering that the General Assembly has held, in its resolutions 395(V) of 2 December 1950 and 511(VI) of 12 January 1952, that a policy of racial segregation (apartheid) is necessarily based on doctrines of racial discrimination,

"1. Establishes 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 provision of Article 2, paragraph 7, as well as the provisions of Article 1, paragraphs 2 and 3, Article 13, paragraph 1 b, Article 55 c, 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;

"2. Invites the Government of the Union of South Africa to extend its full co-operation to the Commission;

"3. Requests the Secretary-General to provide the Commission with the necessary staff and facilities;

"4. Decides to retain the question on the provisional agenda of the eighth session of the General Assembly."

B

"The General Assembly,

"Having taken note of the communication dated 12 September 1952, addressed to the Secretary-General of

the United Nations by the delegations of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria and Yemen, regarding the question of race conflict in South Africa resulting from the policies of apartheid, of the Government of the Union of South Africa,

"Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

"Recalling that the General Assembly declared in its resolution 103(I) of 19 November 1946 that it is in the higher interests of humanity to put an end to religious and so-called racial persecution, and called upon all governments to conform both to the letter and to the spirit of the Charter and to take the most prompt and energetic steps to that end,

1. Declares 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 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. Affirms that governmental policies of Member States which are not directed towards these goals, but which are designed to perpetuate or increase discrimination, are inconsistent with the pledges of the Members under Article 56 of the Charter;

"3. Solemnly calls upon all Member States to bring their policies into conformity with their obligation under the Charter to promote the observance of human rights and fundamental freedoms."

At its 411th plenary meeting on 21 December 1952, the General Assembly, on the proposal of the President, decided that the Commission, established under paragraph 1 of resolution 616 A (VII) should be composed of the following persons: Ralph Bunche, Hernán Santa Cruz and Jaime Torres Bodet.⁸⁴

K. THE QUESTION OF AN AUSTRIAN PEACE TREATY

On 29 August 1952 Brazil requested (A/2166) the inclusion, in the agenda of the seventh session of the General Assembly, of the item: "Question of an appeal to the Powers signatories to the Moscow Declaration of 1 November 1943, for an early fulfilment of their pledges towards Austria".

An explanatory memorandum submitted on 12 September recalled that by the Moscow Declaration (to which France had subsequently adhered) the four Powers, France, the USSR, the United Kingdom and the United States, had expressed their determination that Austria should be re-established as a free and independent State.

The four-Power occupation and the establishment of an allied control system was intended to be a temporary measure, the common task being to aid the Austrian people in the restoration and democratic reconstruction of their country. The memorandum said that, although free elections had taken place in Austria in November 1945 and a democratic government, recognized by the four occupying Powers, had been established, the

⁸⁴ On 30 March 1953 the General Assembly, on the proposal of the President, decided to appoint Henri Laugier of France and Dantes Bellegarde of Haiti to replace Ralph Bunche and Jaime Torres Bodet on the Commission, as the last two named were unable to serve on that body.

occupation and allied control system were still in force seven years after the liberation of Austria. The negotiations for the conclusion of an Austrian treaty, intermittently conducted by the four Powers since 1947, had thus failed to bring about the objective that the four Powers had set themselves in the Moscow Declaration. Such a state of affairs, the memorandum stated, constituted a source of deep disappointment for the Austrian people and gave rise to a serious problem which called for the attention of the United Nations. The memorandum recalled that the General Assembly, by its resolution 190(III) of 3 November 1948, had already made an appeal to the Great Powers to compose their differences and establish a lasting peace in Austria. Brazil considered that an earnest appeal must now be addressed by the General Assembly to the Powers signatories of the Moscow Declaration to make renewed and urgent efforts to reach agreement on the terms of an Austrian treaty.

At its 380th meeting on 16 October 1952, the General Assembly, on the recommendation of the General Committee, decided to include the question in its agenda and at its 382nd meeting on 17 October, referred it to the First Committee. USSR proposals to delete the item were rejected in the General Committee by 12 votes to 2 and in the Assembly's plenary meeting by 48 votes to 5.

The First Committee considered the question at its 553rd to 556th meetings from 17 to 19 December. By 47 votes to 5, it decided to invite the Foreign Minister of Austria to participate in the discussions.

Opening the discussion, the representative of the USSR recalled that his delegation had objected in the General Committee and in the plenary meeting to the inclusion of the question in the Assembly's agenda. The Soviet Government considered that such a discussion by the General Assembly would be contrary to the terms of the Charter, in particular to those of Article 107.⁸⁵ The representative of the USSR maintained that according to the Moscow and Potsdam agreements the four Powers had exclusive competence on the question of Austria and that the control machinery for Austria had been established in 1946 as a result of their agreed decision. At that time, important decisions had been taken on political and economic questions relating to Austria and it had been decided to prepare the draft of an Austrian peace treaty, on which substantial work had subsequently been done; agreement had been reached on all except a few articles. The USSR had drawn the attention

of the other Governments concerned to the necessity of verifying that the Austrian Government fulfilled the four Powers' decision on demilitarization and denazification.

In considering an Austrian peace treaty, the Soviet Government could not ignore the non-observance by the United States, the United Kingdom and France of other international agreements which they had concluded with the USSR, he stated. Thus the Italian Peace Treaty which provided that Trieste would become a free city governed by a special statute had not been observed and the city had become an Anglo-American base. As long as the three Powers failed to abide by their obligations in Trieste there would be no assurance that the terms of an Austrian peace treaty would be respected.

The USSR representative stated that the proposal made in March 1952 by the three Western Powers for an abbreviated peace treaty had been in contradiction with the previous agreements reached among the four Powers. After turning down a Soviet suggestion to withdraw that proposal, the three Powers had decided to bring the question before the United Nations, their aim being to divert public opinion from acute international problems, such as the reduction of armaments, the prohibition of atomic weapons, the cessation of hostilities in Korea and the proposal for the conclusion of a peace pact among the four Great Powers.

For these reasons, the USSR representative concluded, his delegation would not participate in the consideration of the question, would not take part in the vote on any proposal that might be submitted on it, and would not recognize the validity of any resolution that might emerge from the Assembly's consideration of the question.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR associated themselves with the views expressed by the USSR representative and stated that they would adopt the same position. The responsibility for the deadlock on the Austrian peace treaty, they said, lay entirely with the three Western Powers, which had raised the problem to slander the USSR. In Austria, despite the continual protests of the USSR in the Control Commission, war criminals had gone unpunished and many who had been in prison had been released; the Austrian Government had refused to return war criminals to Poland, and Hitlerite officers were again being

⁸⁵ This Article allows for action in relation to ex-enemy States of the Second World War by the governments having responsibility for such action.

given a place of honour. While the Soviet Union Government had consistently displayed its sincere desire to reach agreement, the three Western Powers, they said, had revealed that they wanted to continue the occupation of Austria in order to transform it into a military base.

The representatives of Brazil, Lebanon, Mexico and the Netherlands submitted a joint draft resolution (A/C.1/L.16), by which the General Assembly, recalling its resolution 190(III) of 1948 and the Moscow Declaration and stating that inconclusive negotiations between the four Powers (France, the USSR, the United Kingdom and the United States) regarding the establishment of an independent Austria were causing deep disappointment to the Austrian people and were hampering Austria's exercise of sovereignty, would address an earnest appeal to the Governments concerned to renew efforts to agree on an Austrian peace treaty.

The sponsors of the joint draft resolution stated that the United Nations could not remain indifferent to the condition of subjection and partition of the Austrian people. In the Moscow Declaration the four Powers had recognized that Austria was "the first of the three countries which fell victim to the Hitlerite aggression". They had further affirmed their determination to restore Austria as a free and independent State, but the negotiations undertaken by the four Powers for the conclusion of an Austrian peace treaty had been fruitless. That situation had become a cause for concern to all nations and was now legitimately brought to the attention of the United Nations. Article 1, paragraph 2, of the Charter stated that one of the purposes of the United Nations was to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. A solution of the Austrian question would certainly represent a decisive contribution to a healthier international atmosphere.

They said that the joint proposal was in line with Assembly resolution 190(III) of 3 November 1948 and expressed the deep concern of the medium and small Powers with the deadlock in which the negotiations had remained since 1947. There was no intention of dealing with the substance of the matter, nor to transfer to the 60 Members of the United Nations a question which was, in fact, the exclusive responsibility of the Great Powers. The only objective of the sponsors was to have the General Assembly address a solemn appeal to the four Powers to make a new and urgent effort to resolve their differences which would lead to an early end of the occupa-

tion of Austria and to the free exercise by Austria of the powers inherent in its sovereignty.

In his statement, the Foreign Minister for Austria recalled that after the beginning of the Second World War Allied statesmen had solemnly proclaimed that Austria would be restored as a sovereign state. The Moscow Declaration of 1943 had expressed the same objective. Despite the fact that the conditions for the withdrawal of Allied troops (free elections, formation of a constitutional government and re-establishment of public order) had been fulfilled soon after 1945, the Austrian people had already had to support eight more years of bondage and of oppressive occupation. Many Austrians had been abducted and tried by Allied military tribunals; property had been seized and dismantled; Austrian oil deposits had been exploited by a foreign Power; a large amount of Austrian land was still confiscated; and the cost of occupation borne by the Austrian people created a considerable burden for the country. But what oppressed and disheartened the Austrian people most was the fact that the end of this humiliating situation was not in sight.

Turning to the history of the negotiations for an Austrian treaty, he recalled that, after endless deliberations, the Foreign Ministers of the Four Powers had met in Paris in 1949 and had agreed to finalize the treaty draft not later than 1 September 1949. The State Treaty was actually completed with the exception of a few secondary clauses. Nevertheless, when it became evident that the Western Powers were ready to compromise on the remaining five articles, the Soviet authorities had suddenly brought up the question of Trieste. The Soviet Union had also asked for the institution of a new commission of investigation in Austria. In this connexion, the representative of Austria asserted that the charges of the remilitarization of Austria were entirely unfounded. No other country in the world was so completely disarmed as Austria. It was equally unfounded and illogical to subordinate the conclusion of the Austrian State Treaty to the settlement of the Trieste question, since the Austrian Government had not the slightest influence on such a settlement. The Western Powers had further proposed an abbreviated treaty to meet the Soviet objections. However, this new formula had been rejected by the Soviet Government as well as a new invitation to meet in London on 19 September 1952 for a Deputies' Conference.

The Austrian Foreign Minister said that the deadlocked situation would not be passively accepted by the Austrian people, who wanted a

prompt treaty and a treaty which would be implemented rapidly. The Austrian people had proved their sense of responsibility towards the international community by exercising great restraint in showing their discontent, in view of the acute international situation. The risks inherent in an occupation by foreign armed soldiers in the midst of an increasingly angered population had to be recognized. The Austrian people put their trust in the United Nations to face the situation squarely and to restore confidence and hope in their country.

The representatives of the United Kingdom, United States and France spoke in favour of the joint draft resolution.

The United Kingdom representative stated that the Governments of the United Kingdom, United States and France had laboured for six years for the re-establishment of a free and independent Austria as expressed in the Moscow Declaration by the four Powers. Shortly after a democratically elected government had been established in Austria and recognized by the four occupying Powers in January 1946, the Western Powers had begun their attempts to open negotiations with the Soviet Union in order to conclude an Austrian peace treaty. It was not until December 1946 that the Soviet Union had agreed to hold a conference of Deputy Foreign Ministers which would draft the treaty. In June 1949, at the end of 163 meetings, the main points of the draft treaty had been agreed upon. After agreement had been reached by the Council of Foreign Ministers on a few important controversial points, such as Yugoslav territorial claims on Austria and Soviet claims on German assets in Austria, the four Deputy Foreign Ministers were instructed to complete the State Treaty by 1 September 1949.

The Soviet Government had then raised new difficulties in connexion with the wording of the agreement on the question of German assets, and had declined to discuss the few remaining articles until it had obtained satisfaction on its claim against the Austrian Government for supplies furnished to Austria after the war. When the four-Power negotiations had been resumed in May 1950, the Soviet Deputy had introduced a new issue by accusing the Austrian Government and the Western Powers of encouraging the revival of Nazism and of remilitarizing Western Austria. About the same time, the Soviet Union had also introduced the question of the Italian Peace Treaty in so far as it concerned Trieste. The Soviet Deputy had declared that the Western Powers were, by their attitude towards Trieste, raising doubts as to their sincerity with regard

to the implementation of the Austrian Treaty. After an exchange of notes, the negotiations had been abandoned in December 1950. In December 1951 the Soviet Deputy had thwarted another effort made by the Western Powers to reopen the treaty negotiations in January 1952 by again putting forward the question of Trieste. The Western Powers thereupon had presented to the Soviet Government on 13 March 1952 an abbreviated draft treaty which contained only a minimum of articles required to end the occupation of Austria and to restore its independence. In August, the Soviet Government had rejected such an abbreviated treaty on the grounds that it failed to make any provisions for the maintenance in Austria of human rights and of democratic government and for the suppression of Nazi activities. The Western Powers had offered to meet the Soviet objections by adding to the abbreviated treaty articles 7, 8 and 9 of the original longer draft, which referred to human rights, democratic institutions and the dissolution of Nazi organizations. The Western Powers had convened a meeting of the Foreign Ministers for 29 September 1952, but a Soviet note of 28 September had maintained that the abbreviated treaty did not fully meet the Soviet objections and the scheduled meeting for 29 September had never taken place.

The Western Powers, he stated, remained convinced that no point of substance was preventing the conclusion of the Austrian treaty; Russian assent alone was lacking.

The representative of the United States declared that, contrary to the assertion of the Soviet delegation, Article 107 of the United Nations Charter was not applicable to the case in point; in the first place Austria was not a former enemy of any signatory to the Charter; secondly, the discussion of the draft resolution before the First Committee could in no way be regarded as an attempt to invalidate or preclude action taken by the four responsible Governments. Nobody was asking the First Committee to deal substantively with the problem. The present situation in Austria seriously affected the peace in the surrounding area. As one of the four occupying Powers in Austria, the United States, he said, had already tried and would continue to try to find a way to restore Austria's independence in accordance with the Moscow Declaration of 1 November 1943. The United States representative reviewed the history of this question, starting with his Government's proposal made early in 1946 at the Council of Foreign Ministers that the four occupying Powers should join in a State Treaty with the liberated Austrian State recognizing its inde-

pendence. Since the Soviet Union agreed in 1947 to begin discussing the Austrian treaty, there had been 376 quadripartite meetings, but there was still no treaty. All efforts, he said, had been frustrated by the unyielding attitude of the Soviet Union, which continually conditioned its agreement upon the settlement of specific problems on its own terms. Obviously these terms were calculated to perpetuate the dependence of Austria upon the Soviet Union, even after the withdrawal of Soviet troops. The United States representative traced the development of the quadripartite negotiations, and charged that every time a concession had been made to meet the Soviet point of view, the Soviet representatives had introduced new issues, each more extraneous than the last. While the Western Powers were willing to accept any treaty in terms adequate to ensure the restoration of Austria's independence, the Soviet Union continued to use Austria as a pawn for its own imperialistic purposes, he charged. For its part, the United States was ready to meet again with USSR representatives in order to conclude the Austrian treaty.

The representative of France endorsed the statements of the United Kingdom and United States representatives. He affirmed the sympathy of his Government for the Austrian people. France, he said, was well aware of the deep disappointment suffered by Austria as a consequence of the maintenance of the occupation regime for eight years; it had done its utmost to lighten the burden of the occupation and was ready to do everything in its power to develop Austria's resources. The representative of France stated that the decision now depended upon the Soviet Union. He expressed the hope that the Soviet Union would not remain indifferent to the fate of the Austrian people and would respond to the appeal unanimously addressed to it.

The representatives of Argentina, Australia, Belgium, Canada, Chile, China, Colombia, Cuba, the Dominican Republic, Ecuador, Egypt, Ethiopia, Greece, India, Indonesia, Iran, Iraq, Israel, Peru, Sweden, Syria, Turkey, the Union of South Africa, Uruguay, Venezuela and Yugoslavia spoke in favour of the joint draft resolution. They said that it could not be forgotten that the liberation of Austria had been accomplished in the spring of 1945 and that no solution had yet been reached. While countries directly associated with Nazi aggression had each obtained a peace treaty, Austria, on the contrary, still suffered a regime of military occupation seven years after the end of the war. The sad history of the four-Power negotiations on the Austrian treaty was a matter

of common knowledge, and the resulting situation was clearly a matter of concern to the United Nations. In view of the inherent threat to the peace, it was clearly within the Assembly's competence to take the limited action proposed in the draft resolution. The purpose of this draft was simply to make an urgent appeal to the four Great Powers concerned to reach agreement on an Austrian peace treaty.

The representative of Yugoslavia said that the Austrian question was of particular concern to Yugoslavia, which was Austria's immediate neighbour. There were no grounds, he emphasized, for linking the question of the Austrian peace treaty and that of Trieste; the Trieste question had been expressly dealt with in the Italian Peace Treaty and at present concerned only Italy and Yugoslavia.

Commenting at length on the question of competence, the representative of Greece concluded that Article 107 of the Charter did not justify the contention that the Assembly was incompetent to discuss the question of Austria any more than that of the unification of Germany which it had examined at its sixth session.

The representative of Pakistan indicated that he would abstain from voting on the joint draft resolution since certain delegations supporting it were inconsistent in their attitude towards similar questions affecting other countries such as Tunisia and Morocco.

At its 556th meeting on 19 December the First Committee adopted the joint draft resolution by a roll-call vote of 48 to none, with two abstentions.

The General Assembly, at its 409th plenary meeting on 20 December, by 48 votes to none, with 2 abstentions, adopted, without debate, the draft resolution recommended by the First Committee (A/2339) as resolution 613(VII).. It read:

"The General Assembly,

"Recalling the terms of resolution 190(III) of 3 November 1948, whereby an appeal was made to the great Powers to renew their efforts to compose their differences and establish a lasting peace,

"Recalling the terms of the Moscow Declaration of 1 November 1943, whereby the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America recognized that Austria should be re-established as a free and independent State,

"Recalling further that the Government of France joined the three above-mentioned Governments in the said declaration as of 16 November 1943,

"Considering that, in the spirit of the said declaration, the four Powers accepted the responsibility of re-estab-

lishing a free and independent Austria, and, to that end, have entered into negotiations towards the conclusion of an Austrian treaty,

"Noting with concern that those negotiations, which have been under way intermittently since 1947, have hitherto failed to bring about the proposed objective,

"Taking into account that such a state of affairs, still prevailing after a lapse of seven years since the liberation of Austria at the end of the Second World War, and arising from the inconclusive stage of the aforementioned negotiations, does constitute a source of deep disappointment for the Austrian people, who have by themselves made successful efforts towards the restoration and democratic reconstruction of their country.

"Recognizing that only through the unhampered exercise by the Austrian people of their freedom and independence can these efforts attain full realization,

"Taking further into account that such a state of affairs hinders the full participation by Austria in the

normal and peaceful relations of the community of nations and the full exercise of the powers inherent in its sovereignty,

"Having in mind that the solution of this problem would constitute an important step toward the elimination of other areas of disagreement and therefore towards the creation of conditions favourable to the accomplishment of world peace,

"Desiring to contribute to the strengthening of international peace and security and the developing of friendly relations among nations in conformity with the Purposes and Principles of the Charter.

"Addresses an earnest appeal to the Governments concerned to make a renewed and urgent effort to reach agreement on the terms of an Austrian treaty with a view to an early termination of the occupation of Austria and the full exercise by Austria of the powers inherent in its sovereignty."

L. THE QUESTION OF HOLDING FREE ELECTIONS IN GERMANY

At its sixth session, on 20 December 1951, the General Assembly adopted resolution 510(VI) by which it appointed a Commission to carry out immediately a simultaneous investigation in the Federal Republic of Germany, in Berlin, and in the Soviet Zone of Germany to ascertain and report whether conditions were such as to make possible the holding of genuinely free and secret elections throughout those areas.⁸⁶ The resolution provided that the Commission should be composed of representatives of Brazil, Iceland, the Netherlands, Pakistan and Poland. On 18 January 1952 the Chairman of the Polish delegation informed the President of the General Assembly and the Secretariat that, in conformity with the attitude which it had always maintained in this matter, Poland would not participate in the Commission and would accordingly not appoint a representative. The four other members of the Commission appointed their representatives to the Commission.

The Commission submitted two reports to the Secretary-General for the consideration of the four Powers and for the information of other Members of the United Nations. One, dated 1 May 1952 (A/2122/Add.1), covered the period from 11 February to 30 April and the other, a supplementary report (A/2122/Add.2), covered the period from May to August 1952. In its first report, the Commission stated that it had secured from the Allied High Commission in Western Germany, from the authorities of the Federal Republic of Germany and from those of the western sector in Berlin, every assurance of co-operation in its task and every facility, including the right of free travel, normal and

recognized diplomatic privileges and immunities, free access to persons, places and relevant documents, the right to summon witnesses, assurances of immunity for such witnesses, the right to communicate freely with the people in various areas and the immunity of its own communications from censorship or suppression. However, in spite of its repeated attempts, the Commission had received no answer to its letters to the Chairman of the Soviet Control Commission for Germany.

The Commission therefore regretfully concluded that, at that time, there was little prospect of its being able to pursue its task.

In its supplementary report the Commission referred to an exchange of Notes on the German question between the USSR, on the one hand, and France, the United Kingdom and the United States, on the other, in which the Commission had failed to find any agreement whatsoever that it would be used to carry out an investigation throughout Germany, to determine whether existing conditions permitted "generally free elections" to be held in that country. The Commission stated that it had become obvious as a result of the exchange of Notes that, while the three Western Powers strongly preferred that the present Commission carry out its task, they were prepared to consider any other practical and precise proposals for an impartial commission of investigation which the Soviet Government might put forward, on the condition that they were likely to expedite free elections in Germany.

⁸⁶ See Y.U.N., 1951, pp. 316-52.

The USSR, on the other hand, maintained its objection to the competence of the United Nations on the question of Germany and rejected investigation by the Commission. It was, however, agreeable to investigation by another impartial commission formed by the four occupying Powers. It seemed clear to the Commission, therefore, that the four occupying Powers were agreed that an essential preliminary to the formation of an all-German Government was that it should be based on free elections, and further that, before such a government was formed, it was necessary to have an investigation by an impartial

body to determine whether existing conditions throughout Germany would permit the holding of free elections. The Commission expressed the hope that the USSR Government would ultimately be persuaded to repose faith in a body which had been set up by an overwhelming majority of its colleagues in the United Nations.

The Commission decided on 31 July to submit its final report and adjourn sine die, while remaining at the disposal of the United Nations and the parties concerned as long as its mandate was in force. The question was not considered by the General Assembly in 1952.

M. DISARMAMENT

The Disarmament Commission, set up under General Assembly resolution 502(VI) of 11 January 1952⁸⁷, held its first meeting on 4 February 1952 in Paris, in accordance with the provision in that resolution that it should begin its work within 30 days. At that meeting, the Commission adopted its provisional rules of procedure (DC/1), decided to continue its work in New York and disposed of other procedural matters.

1. Organization of the Work of the Disarmament Commission

The Commission continued its discussions in New York and devoted eight meetings between 14 March and 2 April to the organization of its work. It considered: the formulation of its programme of work, the question of discussing charges of the use of bacterial warfare in Korea and China, the organization of working committees and the allocation of tasks to them.

a. PROGRAMME OF WORK

At the second meeting of the Commission, on 14 March, the representative of the United States submitted a proposed plan of work (DC/3) which, he said, followed the language of resolution 502(VI) and was designed to cover the essential elements of any balanced disarmament system without prejudging the details. That plan was endorsed in principle by the representatives of France and the United Kingdom. The USSR representative, however, rejected that plan, stating that its object was to confine the activities of the Commission to the formulation of proposals for the disclosure and verification of information on armed forces and armaments, excluding atomic

and other secret weapons. It would, he said, tend to impede both the reduction of armaments and the prohibition of the atomic weapon. At the third meeting, he submitted an alternative plan (DC/4/Rev.1), which would, he said, lead to concrete decisions to prohibit atomic weapons and reduce armaments and armed forces, with the attendant effects of the submission of complete official data on all armaments and armed forces and the establishment of an international control organ.

In the discussion, a number of representatives took exception to the USSR draft plan of work on the ground that it was so drawn up as to prejudge the nature of the substantive decisions to be reached. On the other hand, the United States plan consisted of general topics for discussion which, it was maintained, would permit the examination of all concrete proposals, including those of the USSR.

The representatives of the United Kingdom and Chile stressed the need for a compromise in the matter of the working programme and the representative of France offered suggestions in that regard. At the seventh meeting the latter representative submitted a substitute plan of work (DC/5), which would deal with all matters under three headings, as follows:

"A. Disclosure and verification of all armaments, including atomic armaments, and of all armed forces.

"B. Regulation of all armaments and armed forces, including:

"1. Elimination of atomic weapons and control of atomic energy with a view to ensuring their elimination;

"2. Elimination of weapons of mass destruction and control with a view to ensuring their elimination;

⁸⁷ For terms of reference of the Commission, see Y.U.N., 1951, pp. 176-77

"3. Limitation and balanced reduction of all other armaments and of all armed forces, and control of this limitation and reduction.

"C. Procedure and timetable for giving effect to the disarmament programme.

"Points A and B to be studied concurrently in the first stages of the Commission's work."

The USSR representative took the position that the French plan suffered from the same defects as the United States plan.

At the eighth meeting on 28 March, the USSR plan of work was rejected by 9 votes to 1 (USSR), with 2 abstentions (France, Pakistan). The French plan was then adopted by 11 votes to 1 (USSR). At the 24th meeting on 27 August, the Commission amended its programme of work by inserting the words "including bacterial weapons" in paragraph B2 (see section 3(c) below).

b. CHARGES REGARDING THE USE OF BACTERIAL WARFARE IN KOREA AND CHINA⁸⁸

At the second meeting of the Commission, in connexion with the United States proposal for a plan of work, the USSR representative asked the Commission to consider without delay, with reference to charges of the use of bacterial weapons in Korea and China, the question of the violation of the prohibition of bacterial warfare so as to prevent its further use and to bring the violators to account. In that connexion, he specified the complaints which had been made by the Ministers for Foreign Affairs of the People's Democratic Republic of Korea and of the People's Republic of China. In reply, the United States representative repudiated the charges, drew attention to other official denials and said that the United States had asked the International Committee of the Red Cross for an impartial investigation of the charges. He asked whether the USSR Government would exercise its good offices to prevail on the Chinese Communist and North Korean authorities to accept the proposal of the Red Cross for an investigation. The USSR representative said he had proposed that the Commission consider the question of bacterial warfare; his delegation would take an active part in the elucidation of the facts.

Discussion of the charges continued from time to time until the eighth meeting. In addition to further detailed denials by the United States representative and to further specific charges by the USSR representative, statements repudiating the charges were made by the representatives of Canada, France, Greece, the Netherlands, Turkey and the United Kingdom, all States which had forces in Korea. In addition, several representa-

tives expressed the opinion that the Disarmament Commission, which was a special organ created for a specific purpose, was not competent to investigate or even to consider the charges.

At the eighth meeting, when the representative of the United States intervened on a point of order, the Chairman ruled that the Commission was not the proper forum in which to make or consider specific charges of bacterial or any other kind of warfare. The ruling, having been challenged by the USSR representative, was upheld by 11 votes to 1 (USSR).

Subsequently, there was some discussion of the capacity of the International Committee of the Red Cross to conduct an impartial international investigation and of the propriety of the circulation as Commission documents of communications relating to charges of bacterial warfare. At the fifth meeting of Committee 1, the Chairman ruled out of order: (1) discussion of methods and agencies for the investigation of such charges; and (2) presentation or circulation of documents purporting to substantiate or prove such charges. The USSR representative challenged those rulings, which were then put to the vote. The first ruling was upheld by 11 votes to 1 (USSR) and the second by 9 votes to 1 (USSR), with 2 abstentions (Chile, Pakistan).

The representative of the USSR protested against the rulings as illegal and as preventing the Disarmament Commission from considering the impermissibility of bacterial weapons and the calling to account of the violators of the prohibition.

c. ESTABLISHMENT OF COMMITTEES 1 AND 2

At the ninth meeting of the Disarmament Commission, the Chairman, the representative of Chile, presented suggestions (DC/7) for organizing committees and allocating work to them, suggestions which were directed towards solving the question of priority between the items of the plan of work by conducting two parallel discussions. The USSR representative said that the establishment of committees was not only unnecessary because the same representatives would serve on them as on the Commission, but would also be harmful because the system proposed would combine the important and complex questions of the prohibition of atomic weapons and other weapons of mass destruction and the reduction of armaments and armed forces into a single item, while giving equal emphasis to

⁸⁸ For consideration of these charges in the Security Council, see below under Bacterial Warfare.

the secondary question of the collection of information. Other representatives, however, favoured the suggestions as affording a more orderly method of discussion than that of discussing various topics concurrently in the Commission. After discussion and amendment, the suggestions were adopted (DC/8) by 10 votes to 1, with 1 abstention.

2. Proceedings in the Committees

Committee 1, which was charged with the consideration of paragraph B of the plan of work adopted, namely, the regulation of all armaments and armed forces, held seven meetings between 4 April and 16 May. Discussion was concerned mainly with a working paper submitted by the United States on "Essential principles for a disarmament programme" (DC/C.1/1), and with the USSR proposals referred to the Commission in resolution 504(VI).⁸⁹

Committee 2, which was charged with the consideration of paragraph A of the plan of work, namely, disclosure and verification of all armaments, including atomic armaments, and all armed forces, held five meetings between 5 April and 16 May. Its discussion was based upon a United States working paper entitled "Proposals for progressive and continuing disclosure and verification of armed forces and armaments" (DC/C.2/1).

a. DISCUSSIONS IN COMMITTEE 1

The general discussion in the Committee centred on the two alternative approaches to the questions: (a) of prohibition of the atomic weapon and the international control of atomic energy; and (b) of the regulation, limitation and balanced reduction of conventional armaments and armed forces.

Broadly speaking, the representatives of Canada, France, the Netherlands, the United Kingdom and the United States considered unacceptable the USSR proposals as they stood for an immediate ban on the atomic weapon and the establishment of strict international control of atomic energy, both to come into effect simultaneously, and immediate reduction by one-third of the armaments and armed forces by the permanent members of the Security Council. They considered that the immediate prohibition coupled with the proportional reduction of armaments and armed forces, as suggested by the USSR, would decrease security and would seriously upset the equilibrium of armed strength since the atomic weapon was a counterbalance to the preponderance of the

USSR in mass armies and conventional weapons. The USSR position, they said, thus ran counter to the concept of balanced reduction which the Disarmament Commission had been instructed to work out and to propose.

The representative of France noted, however, that the USSR position had changed significantly at the sixth session of the General Assembly in Paris when the USSR Foreign Minister had stated that the controlling body as far as atomic energy was concerned, would be enabled to undertake "continuous inspection" without being allowed to "interfere in the domestic affairs of States". The concept of control and prohibition coming into effect simultaneously was also, it was stated, new and possibly represented an advance over the previous USSR position which required unconditional prohibition first and the institution of control afterwards.

The main difference of views between the Western Powers and the USSR, it was stated, related to the nature of the control system envisaged. The Western Powers adhered to the plan of control approved by the General Assembly in resolution 191(III) which contemplated ownership by the controlling agency of nuclear fuel and source materials and ownership, management and operation by the same agency of dangerous facilities. Although the Western Powers, supported by the majority of the United Nations, were prepared to consider new proposals, they would continue to adhere to the United Nations plan in accordance with the latest Assembly resolution on the question, resolution 502(VI) of 11 January 1952.

The representative of France, as well as other representatives, including those of Canada, the Netherlands, the United Kingdom and the United States, asked for the clarification of the new terms introduced by the USSR on the problem of atomic disarmament. What, for example, was meant by prohibition and control coming into effect simultaneously? What was meant by "continuous inspection" and the reservation thereto covered by the phrase "without interference in the domestic affairs of States"?

The Committee also discussed a United States working paper (DC/C.1/1) presenting six general principles for a disarmament programme. In addition to the first principle, that war should be made inherently impossible as a means of settling international disputes, the proposal contained in the paper called for: co-operation to establish an open and substantially disarmed

⁸⁹ See Y.U.N., 1951, p. 178.

world in which no State would be able to prepare for war secretly; international agreements limiting forces and types and quantities of arms; the progressive reduction of armed forces and armaments and the elimination of weapons of mass destruction; the provision of effective safeguards, particularly in connexion with the international control of atomic energy; and progressive and continuing disclosure and verification.

The representatives of Canada, France and the United Kingdom welcomed the circulation of the United States paper but held that the principles would only have value if they were unanimously accepted. Other members of the Committee, including the representatives of Brazil, Chile, Greece and the Netherlands, expressed themselves in favour of the examination and adoption of principles along the lines of the United States proposal.

In several interventions during the Committee's discussions, the representative of the USSR dealt with the questions raised by the other delegations and expressed his views on the working paper submitted by the United States. He considered that the representatives of Canada, France, the United Kingdom and the United States had indulged in long, fruitless, abstract and general discussions which were designed to divert attention from the crucial question of the prohibition of atomic weapons and the reduction of armaments. Outlining his objections to the approach of the Western Powers on questions relating to atomic disarmament, he said that the United States plan, which was miscalled the United Nations plan, was based, not on the prohibition of the production of atomic weapons, but on the continuation of such production, while the USSR was in favour of the prohibition of the atomic weapon and discontinuance of its manufacture. Moreover, this plan envisaged not control but ownership—the creation of an international atomic super-trust on a commercial basis. Under that plan, the control organ would own and operate atomic mines and extract and process atomic raw materials. The USSR, he said, was opposed to that plan but was in favour of creating a genuinely international organ, established on a political and not a commercial basis, with wide rights and powers of verification and inspection on a continuing basis. The USSR envisaged no veto affecting the day-to-day functions of the control organ, but the United States, he said, sought the practical veto inherent in monopoly control.

The second objection related to the method of implementation of the disarmament programme.

The principle favoured by the United States and the Western Powers was, the USSR representative said, that implementation should begin with disclosure and verification of conventional armaments and armed forces, to be completed in several stages beginning from the less secret areas and reaching, in the ultimate and remote future, to atomic weapons, secret weapons and weapons of mass destruction. It was not even known, he said, when the final stage would be reached and there was no guarantee that the process would continue since it was possible that the United States, after obtaining all the strategic information regarding conventional armaments and armed forces of other countries, might find some pretext to stop the disclosures.

In this connexion, he referred to a paper (DC1/C2/1) submitted by the United States in Committee 2 (see below) which proposed that the implementation of the disarmament programme should be begun with the final principle of the United States paper (DC/1/1) before Committee 1, that is, with progressive and continuing disclosure and verification of all armaments and all armed forces. Thus, he said, the entire effort of the United States was to involve the Commission in the endless and protracted task of collecting information instead of proceeding with the real work which was to bring about the prohibition of the atomic weapon, control of atomic energy and reduction of armaments. The purpose of the proposal was to replace concrete decisions by declarations that would commit no government to any course. Moreover, the General Assembly in 1946 had laid down the guiding principles in resolution 41(I), and the task of the Committee was to implement those principles through the preparation of practical measures. The United States had always shown itself ready to make a declaration on general principles but had opposed concrete decisions for their implementation. The USSR had not urged a decision on principles, it had proposed taking a concrete decision on the prohibition of atomic weapons, the reduction of armed forces and armaments, and the establishment of strict international control.

Replying to the questions addressed to him, he said that, as regards his delegation's conception of simultaneity, it meant "that after the decision is taken to announce the prohibition of atomic weapons and the establishment of control, a certain period should elapse during which an international control organ would be formed and set up. When that organ is set up and its representatives are ready to undertake immediate

practical control, then the prohibition of atomic weapons and the establishment of strict international control over the observance of such prohibition are to go into effect simultaneously."

On the question of continuous inspection he said that the representatives of the international control agency would visit all countries and all atomic plants; they would study, investigate, measure, weigh and analyse all undertakings engaged in the production of atomic energy, from raw material (including mining) to the finished product. They would exercise control on a continuing basis. He said, however, that there was no point in elaborating the details of the USSR proposals on this point until the "commercial approach" to the question of international control was abandoned. This question of principle must be settled first.

The representative of the USSR said that the only concrete proposals before the Commission were those of the USSR (DC/4/Rev.1) which provided that the Commission should immediately adopt a decision on prohibition of the atomic weapons, reduction of armaments and armed forces, strict international control, immediate disclosure by all States of data concerning their armed forces and armaments, including atomic weapons, and verification of such data. He concluded by stating that he was prepared to consider any new concrete proposals. However, while the USSR had modified its position with regard to inspection, the United States continued to insist on its own old plan. There was no advantage in discussing proposals that had nothing in common with the basic objectives of the Commission.

In reply to the statements of the USSR representative, several representatives expressed the view that if they were to make progress, the USSR representative should discuss in detail, and submit amendments to, the principles proposed by the United States. The United States representative stated that no progress could be made towards decisions on the reduction of armaments and the prohibition of the atomic weapon until there was agreement on safeguards and control. If the proposed principles, which made clear the purpose of achieving a reduction in armaments and the elimination of weapons of mass destruction, could be accepted, the Commission could proceed to the necessary work of devising safeguards. He said that the term "ownership", as used in the United Nations plan for the control of atomic energy, did not contemplate any super-monopoly on a commercial basis. It had nothing to do with private profits. It did not contemplate strict con-

trol by the United States capitalists. It contemplated only a multilateral plan. If such an international plan could be branded as a United States controlled scheme, he said, there would be no form of international control not subject to the USSR veto which could not be thus branded, should the USSR find it convenient to do so.

b. DISCUSSIONS IN COMMITTEE 2

Committee 2 discussed the United States working paper (DC/C.2/1) relating to disclosure and verification which, the United States representative explained, proposed, as essential principles on which the concrete proposals were based, that the system should be continuing, progressive and complete, and that it should provide adequate safeguards and include from the outset all armed forces and all armaments, including atomic weapons. Disclosure and verification by stages was proposed in order to expedite progress from the less secret to the more secret areas through the establishment of confidence by evidence of good faith. Five stages each were proposed for conventional and atomic armaments. The proposals did not neglect atomic weapons in favour of conventional armaments; at the first stage, there would be sufficient data available to make possible the calculation of the atomic potential of all States, but without exact or full details.

A number of members, including the representatives of Brazil, Canada, China, Greece, the Netherlands and Turkey, expressed their readiness to adopt the working paper as a basis for the Committee's discussions. The representative of the United Kingdom stated that he regarded disclosure and verification as an essential part of, not a substitute for, the disarmament process. The first task, creation of confidence, could be aided by disclosures which did not prejudice the security of any country. Even a little progress might create the basis for a disarmament plan. The disclosure procedures need not be completed before a disarmament programme was inaugurated.

The representative of France stated that the disclosure process should not delay disarmament. On the basis of the United States working paper, it should be possible to evolve a compromise solution. He outlined a system for three stages of disclosure and verification, the detailed plans for which had the approval of the French Government. He did not believe that disclosure and verification could be isolated from the disarmament process, nor could they be applied before the conventions governing regulation became operative. He preferred that the two procedures

of disclosure and disarmament should be dovetailed and that each phase of disclosure, if the verification proved satisfactory, should automatically lead to some regulatory procedure: limitation, reduction or prohibition. He also stated that there should be an equal measure of disclosure in both the atomic and non-atomic fields. As there was general agreement on the need for verification, that matter might be discussed first, and separately; he proposed five principles as a basis for such discussion.

The USSR representative said that the United States working paper was designed to replace the questions of the reduction of armaments and the prohibition of the atomic weapon by a proposal to collect information. Without preliminary decisions on the prohibition of atomic weapons and the reduction of armaments, no plan for disclosure and verification would have reality. The USSR position was that, upon the adoption of the decisions, all States would be required to submit full official information on all armed forces and all armaments, including atomic. If some governments rejected agreements relating to prohibition and reduction, others would hardly agree to admit inspectors from those governments within their borders. Moreover, the system of stages was designed by the United States for intelligence purposes so as to secure a complete picture of the war potential and strength of other States in armed forces and conventional armaments at the first stage, while data on atomic and other secret weapons were reserved for the fifth stage in the remote and indefinite future. The plan, he stated, would be of advantage only to the United States, which was pursuing an aggressive policy of relying on weapons of mass destruction rather than on manpower.

The French suggestions, the USSR representative said, were basically the same as those of the United States; they would have the effect of postponing information on atomic weapons. No plan of stages for disclosure would be acceptable. The USSR policy was that full official data on all armed forces and all armaments should be submitted simultaneously, as soon as decisions had been taken on the reduction of armaments and the prohibition of atomic weapons.

3. Proceedings in the Disarmament Commission

At nineteen meetings held between 28 May and 9 October the Commission discussed: (1) the working paper (DC/10) and the supplement thereto (DC/12), submitted jointly by France,

the United Kingdom and the United States, setting forth proposals for fixing numerical limitation of all armed forces; and (2) matters relating to bacterial warfare, including proposals made by the United States representative and a USSR proposal (DC/13/Rev.1) for immediate consideration of that question.

a. DISCUSSION OF PROPOSALS FOR FIXING NUMERICAL LIMITATION OF ALL ARMED FORCES

The working paper submitted jointly by France, the United Kingdom and the United States presented proposals for ceilings on all armed forces. It was suggested that numerical ceilings for China, the USSR and the United States should be fixed at between 1 million and 1.5 million effectives, and for France and the United Kingdom at between 700,000 and 800,000 effectives. For other States having substantial armed forces, ceilings should be fixed with a view to avoiding a disequilibrium of power. They would normally be less than 1 per cent of the population and less than current levels, except in very special circumstances.

In introducing the working paper, the representative of the United Kingdom expressed the hope that the USSR would examine those far-reaching proposals, covering one of the important elements of the over-all disarmament problem. The proposals would, it was hoped, facilitate agreement on solutions for other component questions, since armaments could hardly be dealt with except in relation to armed forces. If there could be agreement on levels of forces, decisions regarding their equipment should be easier. The growth of confidence resulting from such agreement should make the problems of the prohibition of atomic weapons and of ensuring the effectiveness of that prohibition less formidable obstacles.

The proposals, he said, would provide a clear objective, as compared with the unknown results of the USSR plan for a reduction by one third. Moreover, the USSR proposals dealt only with the five Powers. The United Kingdom representative added that the tripartite plan would in some cases lead to a cut of more than one third.

The representative of the United States said that the aim of the three Powers was not merely to regulate the armaments used in war but to eliminate war as a means of settling disputes. Since the armed forces available affected the size of armaments, reduction of those forces should lessen the likelihood and fear of war. If armed forces could first be limited, and then armaments, all weapons of mass destruction could

be prohibited. The ceilings proposed for the five Powers sought to avoid a disequilibrium in order to reduce the danger of war. For other States, the same principle would be borne in mind—both a general equilibrium and an equilibrium in particular areas.

The three-Power proposal should be related to other components of the disarmament programme and should lead to comprehensive agreements, the United States representative continued. Safeguards to ensure observance and to detect violations were necessary, as were a time schedule and provision for a future review of the levels. Moreover, although the United States was not establishing pre-conditions, there was an obvious connexion between the solution of major political issues, including a Korean settlement, and the reduction of armed forces and armaments.

The representative of France stated that if there were agreement on the principles enunciated in the paper, the remaining points could possibly be modified. The basis of the proposal, he said, was a bulk reduction which would be more substantial than one third. International tension would be relaxed by a progressive combination of disarmament and the settlement of other problems.

France, he declared, would not be content with a reduction in armed forces unless it was accompanied by a corresponding reduction in armaments, by the prohibition of weapons of mass destruction and by the establishment of controls. The Commission would have to evolve other component solutions and, after dealing with the problem of the sequence of the various measures, assemble them into a general programme. The French Government would sponsor conciliation and compromise and try to co-operate in proposing practical solutions.

In reply to an objection by the representative of the USSR that the proposal made no reference to the reduction of air forces and navies, representatives of the sponsoring Powers stated that the ceilings proposed would include all forces—naval and air as well as land forces. In reply to another statement by the USSR representative that the meaning of "China" in the context of the proposal should be made clear and that the proposals could not be considered without the participation of the Chinese Central People's Government, the representative of the United Kingdom, on behalf of the sponsoring Powers, stated that the word "China" denoted a country and not a Government and that the proposed ceilings would apply to China. As regards the participation of the Chinese People's Government, he said that the consideration of the USSR proposals

involving a one-third reduction of the forces of China had not been barred on account of the absence of Chinese representatives.

In criticizing the proposals, the USSR representative said that the question of armed forces had been separated artificially from the main question: the prohibition of atomic weapons and the reduction of armaments. Although the need to create a balance of armed forces among the States and to prevent any break which would endanger international peace and security was stressed, nothing concrete was said about the reduction of armaments and the prohibition of atomic weapons and other weapons of mass destruction. The whole problem of strength had been reduced merely to the question of the effectives in the armed forces of States. However, the number of men in the armed forces of a State was not as important as the quantity of military aircraft and armaments it possessed and the size of its navy. The expansion of the last three had been demanded by the military and political leaders of the United States, who had constantly pointed out that those forces, being the main striking force, along with the atomic weapon, could attain victory without tremendous land armies.

By failing to include proposals for reduction of armaments, prohibition of the atomic weapon and weapons of mass destruction, the three-Power plan would place the United States in a privileged military position and would weaken the strength of other States. No balance would be created and the three Powers could increase their strength by expanding naval and air forces and intensifying the production of armaments, atomic weapons and other weapons of mass destruction. The proposals nowhere specified that air and naval forces were to be reduced as well as land forces, nor was there provision for a specific ratio between the various services. The emphasis was on the reduction of effectives in the land forces, including para-military and security forces, although anyone could clearly see that it was not para-military and security forces, but air and naval forces which, being kept in constant readiness for action, might be utilized for the purpose of aggression.

Indeed, the representative of the USSR went on to say, the proposals did not really offer a reduction in armed forces, but only the arbitrary imposition of ceilings. He produced data to demonstrate an enormous increase in the army, navy and air forces and armaments of France, the United Kingdom and, particularly, the United States. In the case of France, he said, the armed

forces would rise above the proposed ceiling only during the current year, as a result of the rearmament programme. The ceiling proposed for the United Kingdom would require only a negligible reduction, again from a peak reached through rearmament, and that reduction only at the expense of an insignificant number of men in units of secondary importance, but not at the expense of naval and air forces. As far as the United States was concerned, the object was to legalize the increased number of air and naval forces. The purpose of the limitation, he said, was to legalize an inflated condition for those Powers.

In conformity with United States policy, the USSR representative observed, the proposals passed over the question of the prohibition of bacterial warfare. A further omission was the absence of provision for the liquidation of the ever-increasing number of military bases abroad and of the armed forces stationed at those bases, which were useful exclusively for aggression.

If, however, the Governments of the three Powers really intended to reduce their armaments and armed forces by at least one third, and if they would agree to adopt a concrete decision on that question simultaneously with a decision on the prohibition of the atomic weapon and the establishment of control, the USSR delegation foresaw no difficulty in reaching agreement on concrete indices for such a reduction of armaments and armed forces.

The USSR representative said that the tripartite proposals were inadequate and could not lead to progress. No ratio or proportion was given for naval or air forces. The USSR proposals, on the other hand, would bring about a reduction by one third in each category of armed forces—land, sea and air—and also a one-third reduction in each type of armaments, including, for example, the various types of tanks, aircraft and guns. The USSR representative asked how the reduction of United States forces would take place under the tripartite proposals; what would be the respective percentages of reduction for land, sea and air forces; and what would be the ratio between the three services at the final level? Those were matters of the highest importance and could not be regarded as details; they required clarification if the proposals were to be discussed.

In reply, the representative of the United States said that the tripartite proposals had been distorted and misrepresented. The position of the three Powers on the nature of their proposals had been made clear: the ceilings on armed forces

were proposed as one element of a comprehensive disarmament programme which would also include the reduction of armaments, the elimination of atomic weapons, the control of atomic energy, the elimination of all weapons of mass destruction, and the establishment of adequate and effective safeguards. Moreover, the limitations proposed were intended to extend to all armed forces: land, sea and air.

With respect to his Government's policies, the representative of the United States stated that his country was rearming to deter future aggressions. The United States did not desire unilateral disarmament, but it had presented various proposals—regarding disclosure and verification, the principles of disarmament, and ceilings for armed forces—which the USSR refused to consider and insisted on misrepresenting. At the same time, the USSR representative refused to elaborate and explain his Government's proposals with sufficient precision to permit their evaluation and proper consideration.

The United Kingdom representative stated that it was futile to pretend that the three Powers were seeking to avoid disarmament. It had been made clear that the proposals were designed as part of a whole. It had been felt, however, that an agreement on the question of forces would facilitate agreement on other matters. Under the proposals, the size of all types of land, sea and air forces would be the subject of negotiation, and if the USSR were concerned about the effect on the balance of power, it could put forward proposals.

b. FRENCH SUGGESTIONS REGARDING SCHEDULES AND TIME-TABLES

The Commission then heard suggestions made by the representative of France regarding the schedule and time-table for giving effect to the disarmament programme. In his view, one of the reasons for the Commission's failure to make progress was the disagreement on the order in which the various substantive measures should be put into effect. The French position was that all decisions on limitations and prohibitions should be put at the head of a draft treaty, and the entry into force of each should be subject to two conditions: (1) there should be a definite sequence, and each limitation or prohibition should be undertaken only after the previous one had been certified as achieved by a designated international organ, but should then follow automatically; and (2) each limitation or prohibition should take place subject to the establishment in working order of the corres-

ponding control mechanism. That thesis was designed to conciliate the views that, on the one hand, the prohibitions and limitations should be promulgated at the outset and, on the other hand, that they should be put into effect only after the establishment of controls.

The French ideas would synchronize operations which might be classified into three groups: disclosure and verification; armed forces and conventional armaments; and atomic weapons and other weapons of mass destruction. Three comprehensive stages were suggested in the synchronized system. In the first stage there would be a cessation of the armaments race consequent upon the limitations of armed forces and total military expenditures. Bacterial and chemical weapons might be prohibited. Those events would follow the successful completion of corresponding disclosures and their verification. At the end of the second stage of disclosure, which would also be related to the subsequent events, the increase in stocks of conventional weapons and the manufacture of atomic weapons and of fissionable materials in dangerous quantities would be prohibited. At the end of the third stage of disclosure, and within a specified period of time, the reduction of armed forces and armaments would be undertaken and the prohibition of atomic weapons would enter into force as soon as the supreme organ had found that conventional armed forces had been properly reduced.

On the basis of plans along the foregoing lines, the French representative said, States would retain, at the end of a stated period, only conventional armaments which had been reduced to agreed levels. Controls would be functioning to ensure against the reappearance of weapons of mass destruction. In addition, there should be provision for further reductions until States would dispose only of such armed forces as would be necessary to ensure internal security and the fulfilment of international obligations.

c. SUPPLEMENT TO THE TRIPARTITE WORKING PAPER

At the eighteenth meeting, on 12 August, the representative of the United States introduced on behalf of the three sponsoring Governments a supplement (DC/12) to the three-Power working paper relating to fixing numerical limitation of all armed forces. Presenting the paper, he said that it met the objections to the three-Power proposals expressed by the USSR representative to the effect that they did not deal with the distribution of armed forces or the reduction of armaments. The supplement made it clear that

the three Powers sought to prevent undue concentration of armed forces in any category such as would prejudice a balanced reduction. It also showed the intention that agreed solutions for all aspects of a disarmament programme should be worked out and brought into a balanced relationship. The three Powers had recognized, however, that the needs and responsibilities of States differed and that their defence required differing types of forces and armaments. The object of the three Powers was to secure the greatest reduction practicable in armed forces and armaments, in order to minimize the danger and fear of war, while avoiding any serious imbalance of power.

If the proposals for fixing numerical limitations on all armed forces were accepted, a conference of the five permanent members of the Security Council could be arranged with a view to reaching a tentative agreement on the distribution by principal categories of their forces within the agreed ceilings, the types and quantities of armaments for their support, the elimination of all other armed forces and armaments (expressly including all weapons of mass destruction) and the effective international control of atomic energy. Then, under the auspices of the Commission, there would be held regional conferences of all governments and authorities having substantial military forces in the respective regions, with a view to negotiating similar tentative agreements. Such tentative agreements would be incorporated into a draft treaty comprehending all the essential components of the disarmament programme and bringing them into balanced relationship. That implied that the limitations or reductions in armed forces and armaments and the steps in the elimination of prohibited armaments would begin at the same time and be carried out progressively in a synchronized manner. It should be understood, however, that the programme could only be put into effect after safeguards to ensure its execution and observance had been agreed upon and an international control authority had been established.

The representative of France said it was important to find a system of distribution between the major categories of armed forces, as well as a system for the reduction of armaments which would satisfy the responsibilities and security requirements of each State. No disarmament programme could be imposed by a majority on a minority and the three-Power proposals accordingly had left the broadest scope for negotiation. On the important questions concerned there should first be agreement among the five permanent

members of the Security Council and subsequently between the States having important armed forces in each area of the world. The timing of any programme and its co-ordination were matters to which France attached great importance. While it was not possible to make reductions before beginning the disclosure of information, or to give effect to prohibitions before there were means of control, it was not necessary to await the settlement of all details before making a beginning.

The representative of the United Kingdom emphasized that the proposals included all types of armed forces, including naval and air forces. The assertion that the ceilings were a device to enable the Western Powers to retain their naval and air forces at existing levels was demonstrably untrue. On the basis of the figures used by the USSR representative, it was mathematically impossible for the United States, even by abolishing its land forces, to reduce its armed forces below the proposed ceiling without reducing its naval and air forces by at least one third. Nor was it correct to pretend that the three Powers were seeking to secure a reduction of conventional armaments while leaving atomic weapons uncontrolled. Any agreement dealing with part of the disarmament programme was to be regarded as tentative until agreement had been reached on all parts.

In the course of the discussion, a number of questions were asked by the representatives of Chile and the USSR concerning the effect of the proposed conferences on the status and functions of the Disarmament Commission. The representative of France stated that no prejudice to the Commission had been intended. Provisional agreements on well-defined subjects would be reached in the five-Power conference and the regional conferences, and those results would be examined and harmonized by the Commission for inclusion in the general disarmament plan to be submitted to a world conference.

The representative of the USSR observed that no reply had been given by the supplementary proposals to the question of levels for land, sea or air forces or the ratios between those main categories within the global maximum levels to be set for the five Powers. Instead, there was a complex scheme of conferences which would cause confusion and delay, thereby avoiding a decision for the effective reduction of all armed forces. The three Powers did not wish the Disarmament Commission to determine either the global maximum levels or the inter-service ratios within those ceilings but to settle those matters

in regional conferences. That process would enable them to increase the armaments of some States on various pretexts, as was evident from the experience of the League of Nations in its discussion of special needs and responsibilities. In particular, the process would enable the United States to avoid reducing its naval and air forces and its armaments and even to avoid the prohibition of the atomic weapon. Further, the United States was expanding its garrisons on foreign territories and forming aggressive alliances and the proposed regional conferences would give it a decisive voice in the conferences in all major regions of the world. Another intention of the regional conference plan, he said, was to avoid including in the consideration of the disarmament problem by the United Nations any representatives of the Chinese People's Republic, although their participation was essential for a solution.

The representative of the USSR emphasized the failure, both in the initial and the supplementary proposals, to meet the USSR point of view on questions of the prohibition of the atomic weapon, the nature of the controlling agency, the methods of disclosure and verification and the question of bacterial weapons. He said that the problems before the Commission could be solved only on the basis of the USSR proposals calling for the prohibition of the atomic weapon and the one-third reduction of all armaments and armed forces. Even after such reduction, he stated, the military preponderance of the three Western Powers over the USSR would remain, while all would abandon the use of the atomic weapon. Both the initial and the supplementary proposals, he said, advocated disclosure and verification instead of the reduction of armaments; they would delay vital decisions by means of a fallacious plan for setting up stages.

d. DISCUSSION OF PROPOSALS CONCERNING BACTERIAL WARFARE

At the nineteenth meeting of the Commission, on 15 August, the representative of the United States made a statement concerning his Government's position on bacterial warfare. The statement was subsequently summarized in a working paper (DC/15). The representative of the United States emphasized that the elimination of germ warfare, as well as the elimination of mass armies and atomic warfare, must be an essential part of a comprehensive disarmament programme to reduce the danger of aggression and fear of war. He affirmed that the three Western Powers considered such elimination essential and that their

proposals include the elimination of bacterial weapons. He then recalled the statement on the question of ratification of the Geneva Protocol by the United States representative in the Security Council⁹⁰ in which he had given the reasons why the United States had not ratified the Protocol and why it considered it obsolete in the light of present day developments. He added that, at the time the Protocol was presented to the United States Senate in the 'twenties, the United States was retreating into isolationism and feared any involvement with the League and any treaties originating from Geneva. However, the United States had committed itself, as had all Members of the United Nations, to refrain not only from the use of poison gas and bacterial warfare, but also from the use of force of any kind contrary to the Charter. The United States intended to abide by that commitment. The United States position was that war should be made inherently, as it was constitutionally under the Charter, impossible as a means of settling international disputes and that the problem of disarmament should be approached with a view to preventing war rather than regulating the armaments to be used. However, until effective safeguards had been agreed upon, the United States did not intend to invite aggression by committing itself not to use certain weapons to suppress aggression. It might be that theoretically fool-proof safeguards could not be devised. But the disarmament programme should ensure that armed forces and armaments were reduced in a such a manner that no State would be in a position of armed preparedness to start a war, or to undertake preparations for war without other States having knowledge of those preparations. The principal safeguards to ensure the elimination of bacterial weapons, as well as the observance of other disarmament measures, were to be found in an effective and continuous system of disclosure and verification. The United States proposed that, at appropriate stages in such a system, agreed measures should become effective, providing for the progressive curtailment of production, the progressive dismantling of plants and the progressive destruction of stock-piles of bacterial weapons and related appliances.

The representative of the USSR formally moved that the section of the USSR draft plan of work (DC/4/Rev.1, see above) calling for the Commission's consideration of the question of violation of the prohibition of bacterial warfare, the question of impermissibility of the use of bacterial weapons, and the question of calling to account those who violated the prohibition, be placed on

the agenda for immediate consideration. On 27 August he submitted his proposal in writing (DC/13/Rev.1).

In reply to the statement of the United States representative, he said that the United States had prevented the adoption by the Security Council of a USSR proposal appealing to all States which had not done so to ratify the Geneva Protocol. It had also prevented the Security Council from hearing concrete evidence that the United States had used bacterial warfare in Korea. It had objected to and opposed the adoption by the International Conference of the Red Cross of a resolution calling for the ratification of the Geneva Protocol. No United States proposal had been made for the prohibition of bacterial weapons. The United States had therefore been exposed as the opponent of such prohibition. He therefore pressed for the immediate consideration of the USSR proposals relating to bacterial warfare, stating that it was the duty of the Commission to ensure the prohibition of bacterial weapons.⁹¹

Several representatives, including those of Greece, Chile, Pakistan, the United States, Turkey and France, expressed the view that the programme of work adopted by the Commission provided for discussion of the problem of bacterial warfare. The representatives of Pakistan, Chile and the United States suggested that, if the USSR representative were to submit any concrete proposal concerning bacterial warfare, the Commission could decide to consider it after the conclusion of the debate on the three-Power supplementary proposals.

At the 24th meeting of the Commission on 27 August, the representatives of Chile, France and Turkey jointly submitted an amendment (DC/14) to the adopted plan of work which would add the words "including bacterial weapons" in the appropriate place in the programme. In the subsequent voting, the USSR proposal (DC/13/Rev.1) was rejected by 9 votes to 1 (USSR), with 2 abstentions (Chile and Pakistan). The joint Chilean-French-Turkish proposal was adopted by 10 votes to none, with 2 abstentions (Pakistan and USSR).

On 4 September, the United States representative submitted a working paper (DC/15) setting forth a summary of the proposals made by him for the elimination of bacterial weapons in connexion with elimination of all major weapons adaptable to mass destruction.

⁹⁰ See p. 324.

⁹¹ For a statement of the USSR views on the question before the Security Council, see p. 325; these views were also stated before the Commission.

e. REPORTS OF THE DISARMAMENT COMMISSION

The Commission adopted two reports, one (DC/11) on 28 May 1952, containing a brief procedural account of its work up to that date, and another (DC/20) on 9 October, containing the texts of the proposals and a summary of the discussions. By a letter dated 29 May 1952 (S/2650), the Chairman of the Commission transmitted the first report to the Security Council.

The item "Regulation, limitation and balanced reduction of all armed forces and all armaments: report of the Disarmament Commission" was placed on the agenda of the seventh session of the General Assembly, in accordance with the provisions of resolution 502 (VI). While a number of representatives made reference to the question in the general debate and the item was referred to the First Committee, consideration of the item as such was deferred to the second part of the session in 1953.

N. THE QUESTION OF AN APPEAL TO STATES TO ACCEDE TO AND RATIFY THE GENEVA PROTOCOL OF 1925 FOR THE PROHIBITION OF THE USE OF BACTERIAL WARFARE

The following item was included in the provisional agenda of the 577th meeting of the Security Council on 18 June 1952 by the President (Representative of the USSR): "Appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial warfare". Following a proposal by the representative of the United States, the item was changed to read: "Question of an appeal to States to accede to and ratify the Geneva Protocol of 1925 for the prohibition of the use of bacterial warfare". The item, with the English title alone thus modified, was included in the agenda.

The Security Council considered the question at its 577th to 579th and 581st to 583rd meetings between 18 and 26 June 1952. Before it was a draft resolution (S/2663) by the USSR, under which the Council, having regard to the existence of differences of opinion concerning the admissibility of the use of bacterial weapons, noting that the use of such weapons had been justly condemned by world public opinion, as expressed in the signature by 42 States of the Geneva Protocol of 17 June 1925, would decide to appeal to all States, both Members and non-members, which had not yet acceded to or ratified the Protocol, to accede to and ratify it.

Introducing his draft resolution, the President, speaking as the representative of the USSR, stressed the importance of the Geneva Protocol as a factor in restraining the use of bacterial and chemical weapons by the aggressive States which had precipitated the Second World War. He said that 48 States, including all of the Great Powers, had signed or acceded to the Protocol, and only six States, Brazil, El Salvador, Japan, Nicaragua, the United States and Uruguay, had not ratified it.

The development of the production of bacterial and chemical weapons, the preparations being made in certain countries for bacterial warfare and the differences of opinion among statesmen and leaders on the use of bacterial weapons created a threat to the peace.

The United Nations and the Security Council, as its main organ bearing the responsibility for the maintenance of peace and security, must, he said, take steps to prevent the use of bacterial weapons. In this connexion, he also referred to General Assembly resolution 41(I) of 14 December 1946 which had contemplated the prohibition and elimination of all weapons adaptable to mass destruction. Later in the debate, the representative of the USSR repudiated suggestions that his proposals were in any way connected with charges of germ warfare in Korea.

During the debate in the Council, the following points of view emerged. The representatives of Chile, China, Greece, Turkey, the United Kingdom and the United States concurred in the view that the USSR proposals had been timed to coincide with an organized propaganda campaign on the part of the USSR and its supporters that the United Nations Forces in Korea had used germ warfare. The proposals therefore could not be accepted as a genuine effort to secure the prohibition of bacterial weapons. Moreover, these representatives maintained, however praiseworthy and humane the provisions of the Geneva Protocol might have been, they were now obsolete since they contained no safeguards or guarantees and were not accompanied by any system of international control. Mere declarations, they argued, could not secure any real or effective prohibition. What was really needed, they said, was a com-

prehensive plan of disarmament which would guard against aggression. They therefore supported a United States motion that the question be referred to the Disarmament Commission.

The representative of the United States said that the reasons why the United States Senate had not ratified the Protocol of 1925 were scarcely relevant at present. In 1947, in full recognition of the problems confronting the freedom-loving world, the President of the United States had withdrawn from the Senate Calendar the Geneva Protocol and eighteen other treaties which had become just as obsolete.

The United States representative said that the USSR in ratifying the Geneva Protocol had made reservations which would enable it to use germ or poison gas warfare against an enemy which used it first. While the reservations were in themselves not inappropriate, the USSR, by charging the United Nations Command with using bacterial weapons, had set the stage for using the weapons itself, should it decide to declare that the States resisting aggression in Korea were its enemies. What the world was really concerned about was the known capacities of States, whether they possessed certain weapons and had the capacity and means to employ them. The USSR, he said, had admitted that it was engaged in research on bacterial weapons.

As regards his Government's attitude towards germ warfare, he said that the United States had never used it and would never use it in Korea or anywhere else. His Government, he said, was willing to eliminate not only bacterial but all other weapons adaptable to mass destruction from its armaments provided a system of control was enforced. But it was unwilling to join in perpetrating a fraud on the world by relying solely on paper promises. It was clear that the Disarmament Commission was the only proper body to consider the matter and he had therefore proposed that the USSR draft resolution be referred to it.

The representative of France said that his Government considered that the Geneva Protocol retained all its legal value and moral authority. Although it should be merged in a wider system for the control and abolition of weapons of mass destruction, pending the achievement of that desirable result, the Geneva Protocol remained the chief international instrument which could, if respected, strip war of some of its more barbarous aspects. Its provisions were as binding as ever on the States parties to it. The USSR proposal, however, could not be isolated from the current propaganda campaign organized by the USSR Government, which rejected the most re-

spected and acknowledged legal processes by refusing to have their accusations examined by an impartial commission of investigation. The manoeuvre was obvious. The only body competent to discuss the USSR proposal, he concluded, was the Disarmament Commission. As the French representative on that Commission had made clear, his Government included bacterial weapons among the forms of warfare to be prohibited.

The representative of the Netherlands stated that the question of the use of bacterial weapons had been raised by the USSR in many organs of the United Nations and that in the Disarmament Commission it had been raised in the form of violent and unproved charges against the United States forces currently resisting aggression in Korea. Although it had been ruled that the Commission was not the proper forum for the discussion of these charges,⁹² it did not mean that the Commission could not discuss the problem of bacterial warfare as such. That problem formed part of the larger question, not only of the prohibition but also of the elimination of all major weapons of mass destruction including bacterial weapons. He therefore considered the United States proposal to refer the Soviet draft resolution to the Disarmament Commission to be entirely logical.

The representative of Pakistan stated that he believed that the USSR had proposed the item for the best and most humanitarian reasons but it was difficult to dissociate it from the general picture of world events. He also believed that though the reasons for the non-ratification of the Geneva Protocol by the United States were obscure to him, he was convinced that they could not be sinister. The Protocol, he considered, was not an agreement to end bacterial or gas warfare; it merely regulated retaliation and reprisals. He stated that the fact that both Ethiopia and Italy had acceded to the Protocol had not prevented Italy from inflicting the horrors of gas warfare on Ethiopia. The Soviet proposal, he considered, was ill-timed. The smaller nations of the world would want much greater guarantees than those provided under that proposal. He therefore supported the United States proposal to refer the question to the Disarmament Commission.

The representative of Brazil, supporting the United States motion for referring the draft resolution to the Disarmament Commission, stated that only the fear of retaliation had prevented the use of poison gas and bacterial warfare by the aggressors in the Second World War. The

⁹² See p. 313.

standards of international morality had become such that the protection supposedly afforded by the Protocol had become illusory.

In his reply, the representative of the USSR emphasized the following points.

Dealing with the argument that the prohibition of bacterial warfare should be accompanied by international guarantees and international supervision, he said that, due to the very nature of the production of bacterial weapons, there could be no international supervision. Such supervision could never be complete and was bound to remain ineffective. This had been the conclusion reached by a Special Committee of the League of Nations and by the New York branch of the American Association of Scientific Workers, which had recently voiced the demand for prohibition of bacterial weapons.

He said that the refusal of the United States to ratify the Protocol was not due to the Protocol having become obsolete but for the following reasons which had been stated in the United States Senate in 1926 and which equally applied today. First, chemical weapons were regarded as cheaper to produce and more effective to use in waging war. The second reason for refusal was distrust of other States and peoples, and that was why the United States was preparing to use weapons of mass destruction against them. The third factor was the opposition of the American Legion and other military organizations and of American chemical concerns which feared that ratification of the Protocol would affect production and profits. The USSR representative recalled that his Government had not only ratified the Protocol immediately, but had taken immediate steps to improve it. The League of Nations had adopted a USSR proposal to invite all Governments to accede to and ratify the Protocol. That decision had been ignored by the United States. A proposal for a new appeal had not been adopted in 1932 owing to the opposition of the bloc of States then headed by the United Kingdom.

Declaring that there were no United States proposals providing for the prohibition of bacterial weapons, the USSR representative said that the statement of the United States representative on the Disarmament Commission concerning the desirability, in the indefinite future, of prohibiting atomic weapons and all other types of weapons of mass destruction could not be regarded as a concrete proposal. A general disarmament programme, of which the prohibition of bacterial weapons would be a component part, was undeniably essential, and the USSR had made every effort since the establishment of the United Nations to draw

up such a programme. He said that the USSR delegation had proposed that the question of the prohibition of bacterial weapons and of bringing to account those who violated the prohibition should be considered by the Disarmament Commission but that this USSR proposal had been rejected by the United States delegation. Stating that no agreement had been reached, he asked why the Council should turn its back on an already existing international agreement which was widely acknowledged to be useful and effective? He felt that the Council should support the Protocol until a more effective agreement was framed. An appeal by the Security Council, he said, would, indeed, assist the Disarmament Commission in its work.

The representative of the USSR denied the allegation that it was the USSR which had launched the accusations of the use of bacterial warfare by the United States against the Chinese and Korean peoples. He said that the protest had been made first on 22 February 1952 by the Foreign Minister of the People's Democratic Republic of Korea, and it had not been until 19 March that the USSR had introduced a proposal in the Disarmament Commission for prohibiting bacterial weapons. The People's Democratic Republic of Korea and the People's Republic of China had submitted documentary proof of the use by the United States armed forces of bacterial warfare in Korea. The United States had not said one word against the use of such warfare; this silence, he said, was significant, irrespective of events in Korea.

He recalled that Germany had declared in 1939 at the outset of the Second World War that it would observe the prohibition of the use of chemical and bacterial weapons provided for in the Protocol, on condition of reciprocity. President Roosevelt had made two formal statements warning the Axis Powers against the use of poisonous substances. Those facts emphasized still further the significance of the obligations of the Geneva Protocol. He also recalled that the States signatories to the Protocol had undertaken the obligation to exert every possible effort to induce other States to accede to it. By opposing his draft resolution, he concluded, these States were failing in those obligations.

Regarding the statement by the United States representative that the USSR had made reservations to the Geneva Protocol, the USSR representative said that every State had the right to make such reservations and indeed 22 of the 42 States which had ratified the Protocol had made them, including the United Kingdom. It was an insult to those States to use that argument.

In reply, the representative of the United States stated that the USSR representative had not as yet withdrawn or abandoned the campaign of falsehoods against the United States, but had attempted to dissociate the proposal relating to the Geneva Protocol from that campaign. Was that because the introduction of those charges would inevitably invite investigation?

The United States Government, he said, considered that effective control could be devised and effected in a relatively open world such as that envisaged in the proposal before the Disarmament Commission. His Government had consistently taken the position that the elimination of bacterial weapons must be included in a comprehensive and co-ordinated disarmament programme. The USSR representative's claim that consideration of the question "of banning bacterial weapons had been opposed in the Disarmament Commission was without foundation, since the paragraph from the USSR plan of work on that subject had been rejected by the Commission in favour of a better formulation which, in fact, covered the prohibition of germ warfare: The United States representative had not criticized States for having expressed reservations regarding the Geneva Protocol, but had pointed out that those reservations became a fraud when a Government which expressed them habitually used the weapon of the lie. The Geneva Protocol, he said, could not be isolated from the vicious reality of the existence of the USSR propaganda campaign. The representative of the United States considered that the Council must concern itself with the USSR charges, in order to prevent them from continuing to poison relations among States and to obscure the significance of the United Nations action in repelling aggression in Korea.⁹³

At the 583rd meeting of the Security Council on 26 June 1952, the USSR draft resolution (S/2663) was rejected. There was one vote in favour (USSR) and 10 abstentions.

The representative of the USSR said that the representatives who had abstained had known that an abstention amounted to a negative vote. While officially declaring their loyalty to the obligation of the Geneva Protocol, those representatives, under pressure from the United States, had, he said, in effect, voted against the adoption of a draft resolution designed to strengthen the cause of peace and security. That action of the Council was yet another instance of how the United States was preventing and opposing the strengthening of peace and international security.

The representative of the United States said that the vote demonstrated the attitude of the

members of the Council toward the false issue raised by the USSR. He did not think that the action of the Council could be disposed of by the USSR representative's attempt to dismiss it as an action dictated by any one of the Council's members.

The United States, he continued, had not ratified the Protocol because it was loyally engaged in a major effort to achieve genuine disarmament and genuine control of weapons of mass destruction which would make it possible to eliminate those weapons. Security must be based upon strength and safeguards, and reliance could not be placed upon treaties which did not contain effective machinery for the elimination of weapons of mass destruction. The United States representative also stated that, despite the USSR representative's claim that the issue of the ratification of the Geneva Protocol was, unconnected with the false charges of germ warfare which the USSR Government had continued to make, the two matters had been linked by Moscow and Peiping Radios.

In view of the decision taken by the Council, the United States representative withdrew his motion to refer the USSR draft resolution to the Disarmament Commission, noting that the matter was in any case under discussion in that Commission.

The representative of Pakistan said that he had abstained because he considered that the proper forum for the discussion of the question was the Disarmament Commission. He regretted that the United States proposal had been withdrawn; he would have preferred, since the question had been raised in the Council, that the matter should be referred to the Commission, with perhaps increased emphasis. He requested that the Commission should redouble its efforts and should take the debate in the Council into consideration in dealing with the question of bacterial warfare.

The representatives of the Netherlands and of Greece stated that they had abstained, despite the fact that their Governments had ratified the Geneva Protocol, because they did not want to support an effort to use the Protocol to create an artificial division between some peace-loving and free countries and one other peace-loving and free country.

The representative of the United Kingdom considered that the United States decision to withdraw its proposal had not been unnatural since the USSR representative had made it clear that

⁹³ The United States, therefore, submitted the item "Question of a request for investigation of alleged bacterial warfare". For consideration of the item, see below.

he would veto it in the event that it was put to the vote. In substance, the matter was in any case already before the Disarmament Commission, which could examine the USSR draft resolution, if it wished to do so, in the whole context of the problem of the elimination of all weapons of mass destruction. Reiterating his view that it was the fear of retaliation that had prevented the use of gas warfare by the Axis Powers during the Second World War, he stated that his Government was firmly resolved to abide by the Geneva Protocol scrupulously. That Protocol was important because it codified the sense of conscience and of decency which bound all civilized nations.

The representative of Brazil said that he had abstained both because of the circumstances in which the question had been brought before the Council and because his delegation was not convinced that ratification of the Protocol would, in practice, serve the purpose of bringing about real security against the actual use of bacterial weapons.

The representative of Chile rejected the unjustified interpretation which the USSR representative had placed upon the vote cast by his delegation.

In a final statement, the representative of the USSR said that the United States had first pro-

posed that the USSR proposal be referred to the Disarmament Commission. Other members of the Council had supported the proposal but had been betrayed and misled by the United States.

The statements made during the discussion, in the view of the USSR representative, indicated that the Geneva Protocol continued to be an important international instrument, which had become a part of international practice as well as a standard morally binding on all people. The fact that the United States representative alone in the Council scorned the Geneva Protocol, yet had decided not to vote against the USSR proposal, was the best evidence that the proposal was directed toward strengthening the cause of peace and that the Protocol had prevented, was preventing and would prevent aggressors of their time from using prohibited bacterial and chemical weapons.

In a note dated 8 October 1952 (S/2802) the representative of the USSR requested the Secretariat to issue as a document of the Security Council and to communicate to all delegations to the United Nations a "Report of the International Scientific Commission for the investigation of the facts concerning bacterial warfare in Korea and China" which his delegation had received from the Secretariat of the World Peace Council.

O. BACTERIAL WARFARE

1. Consideration by the Security Council

In the course of the Security Council's consideration of the question of ratification of the Geneva Protocol relating to bacterial warfare,⁹⁴ the representative of the United States, at the 579th meeting of the Council on 20 June 1952, requested that the Council concern itself with the false allegations made by the USSR that the United Nations forces in Korea had used germ warfare. He proposed that the item "Question of a request for investigation of alleged bacterial warfare" be placed on the Council's agenda. He submitted a draft resolution (S/2671), by which the Council would note the concerted dissemination by certain governments and authorities of grave accusations charging the use of bacterial warfare by the United Nations forces, would also note that the Government of the USSR had repeated those charges in organs of the United Nations, and would recall that the Unified Command for Korea had immediately denied the charges and had requested an impartial investigation. The

Council would request the International Committee of the Red Cross to investigate the charges and to report the results to the Council as soon as possible. The Council would, further, call upon all governments and authorities concerned to accord to that Committee full co-operation, including the right of entry to, and free movement in, such areas as the Committee might deem necessary in the performance of its task.

a. QUESTION OF INVITING NORTH KOREAN AND CHINESE REPRESENTATIVES

The question appeared as the second item on the provisional agenda of the 580th meeting of the Security Council held on 23 June, when the representative of the United States moved the adoption of the agenda. The President, speaking as the representative of the USSR, stated that he agreed to the inclusion of the proposed item in the agenda, but considered that it would be absurd to discuss it without the participation of

⁹⁴ See pp. 323-27.

representatives of the States in whose territories the events referred to in the United States draft resolution had occurred. The views of the parties must be heard if the Council were to discuss the matter objectively. He submitted a draft resolution (S/2674) calling for a decision to invite, simultaneously with the inclusion of the item in the agenda, representatives of the People's Republic of China and of the People's Democratic Republic of Korea to the meetings of the Council at which the item would be discussed. Common justice, the Charter and previous practice required the participation of representatives of those Governments in the Council's discussion, the USSR representative said.

The representative of the United States said that it was clear that if the Council should accept the imposition of conditions upon the adoption of the agenda, it could be faced with a situation making impossible the carrying out of its responsibilities and duties.

The representative of the United Kingdom and some other representatives, urging the adoption of the agenda, stated that only in the light of the statement to be made by the representative of the United States could the Council decide whether the matter was one on which the representatives of the Peiping Government and the North Korean authorities should be heard.

The Council resumed consideration of the matter at its 581st meeting on 25 June, when the item proposed by the United States appeared as the fourth point on the provisional agenda. The United Kingdom representative proposed the adoption of the agenda. The President, speaking as the representative of the USSR, orally submitted an amendment to the United Kingdom proposal similar in substance to the USSR draft resolution of 23 June. The representative of the United Kingdom thereupon withdrew his proposal and the President ruled that the USSR amendment be put to the vote as an amendment to an earlier proposal made by himself as President asking the Council to adopt the provisional agenda. The representative of the United Kingdom challenged the President's ruling, which was overruled by 10 votes to 1 (USSR).

The item proposed by the United States was then included in the Council's agenda by 10 votes to 1 (USSR).

At the same meeting the President, the representative of the USSR stated that he had voted against the inclusion of the item in the agenda because the Council had not agreed to settle the question of inviting representatives of the

Chinese People's Republic and the People's Democratic Republic of Korea at the same time as the question of including the item in the agenda was settled. He then submitted a revision of his draft resolution (S/2674/Rev.1), providing for an invitation to representatives of the People's Republic of China and of the People's Democratic Republic of Korea, without specifying that the invitation should be made simultaneously with the inclusion of the item in the agenda. This draft resolution was put to the vote at the Council's 585th meeting on 1 July 1952 and was rejected by 10 votes to 1 (USSR).

The representative of the USSR stated that the United States, afraid that representatives of the People's Republic of China and the People's Democratic Republic of Korea might adduce definite evidence of the use of bacterial warfare by United States forces, had prevented their participation in the Council's meetings. The allegations of bacterial warfare had been supported by a number of foreign correspondents and international organizations—among the latter the World Peace Council and the International Association of Democratic Lawyers. Supporting documents had been issued as Security Council documents (S/2684 and Add.1). Since access had been denied to representatives of the other side, without whom a proper discussion could not be held, the USSR, its representative said, would not participate in the consideration of the item and would vote against the United States draft resolution.

b. CONSIDERATION OF THE UNITED STATES PROPOSAL

In his statement, the representative of the United States said that false and malicious propaganda of great magnitude and intensity, initiated by Chinese and North Korean Communists and intensified by the USSR, had developed over the alleged use of bacterial warfare by the United Nations forces in Korea. The object of the campaign was not only to create hatred against the United States but also to divide, confuse and paralyse the United Nations itself. The charges had been denied categorically by the United States Secretary of State, the Secretary-General of the United Nations, the United Nations Commander-in-Chief, the United States Secretary of Defense and several responsible officials of other United Nations Members.

The Secretary of State of the United States, he said, had challenged the Communists to submit their charges to the test by allowing an impartial investigation. On 11 March he had re-

quested the International Committee of the Red Cross to determine the facts. The International Committee had agreed to set up a committee of investigation, provided that both parties offered their co-operation. The Committee was to consist of persons offering every guarantee of moral and scientific independence and would also include scientific experts proposed by Far Eastern countries not taking part in the conflict. The Secretary of State of the United States had at once accepted the offer, whereas the Soviet-controlled propaganda machines all over the world had at once initiated a drive to blacken the International Committee of the Red Cross. Soviet newspapers and Communist newspapers in widely scattered parts of the world had stepped up the charges of germ warfare. So-called investigation commissions had been set up; one, carefully selected from among Chinese Communists; another staged by the International Association of Democratic Lawyers, made up of faithful followers of the Communist party line.

All independent scientists, including at least ten Nobel Prize winners, had expressed complete scepticism of the charges, the United States representative continued. The Chief United Nations Public Health Officer in Korea had recalled the successful efforts with which the United Nations had combated epidemic disease in the Republic of Korea. It was typical of the United Nations attitude toward epidemics and disease that, when the charges of bacterial warfare had first been made, the World Health Organization had offered to provide technical assistance in controlling the reported epidemics in North Korea. If the Soviet Union Government had had any regard for the truth, recourse to the Security Council had always been open to it. Instead, the representative of the USSR had brought the charges to the Disarmament Commission,⁹⁵ which was not competent to discuss them under its terms of reference.

The germ warfare charges, the United States representative said, were part of a campaign to discredit the United Nations and particularly the United States for their initiative in stopping aggression in Korea and to deceive the world into believing that the USSR had taken a peace initiative. Such a policy, he said, was a revolt against the purpose of the Charter to develop friendly relations among nations. Impartial investigation would wreck the campaign, but if the USSR, through its veto which had been threatened, rejected an investigation, it would wreck the campaign just as surely, for then it would be confessing that it knew that the charges were false.

At the 586th and 587th meetings on 2 and 3 July, the representatives of Brazil, Chile, China, France, Greece, the Netherlands, Turkey and the United Kingdom spoke in support of the United States proposal.

It was argued, *inter alia*, that the refusal to accept the proposal for an investigation by the International Committee of the Red Cross, without offering any reasonable alternative, lent credence to the assumption that the USSR feared that such an investigation would prove the falsity of these charges and that the charges themselves had the political purposes designed to create confusion and division in the free world, and to stir up anti-Western feelings in Asia. The United States could not be accused of being afraid of the truth since from the outset its Administration had declared that all it wanted was an impartial investigation. The United Kingdom representative expressed the hope that the USSR would not veto the United States draft resolution, but would abstain in the vote.

At the 587th meeting of the Council, the United States draft resolution was put to the vote. The vote was 10 in favour and 1 against (USSR). The negative vote being that of a permanent member, the draft resolution was not adopted.

c. SECOND UNITED STATES DRAFT RESOLUTION

Stating that the USSR veto had proved the falsity of the germ warfare charges, the United States representative submitted another draft resolution (S/2688) by which the Council would note:

(1) the concerted dissemination by certain governments and authorities of charges of bacterial warfare by United Nations forces;

(2) the denials of the charges by the Unified Command and its request for an impartial investigation;

(3) that the Chinese Communists and North Korean authorities had failed to accept the offer by the International Committee of the Red Cross to carry out such an investigation but had continued the dissemination of the charges;

(4) the offer of the World Health Organization to combat epidemics in North Korea and China and the offer of the Unified Command to co-operate in the effort;

(5) that the Chinese Communists and North Korean authorities had rejected the offer;

(6) that the USSR had repeated the charges in the United Nations but by the use of its negative vote in the Council had prevented the investigation of those charges.

⁹⁵ See p. 313.

According to the draft, the Council would conclude that the charges were false and would condemn the practice of fabricating and disseminating such false charges.

At the 588th meeting on 8 July, the representative of the United States said that, despite their rejection and repudiation of an impartial investigation, the representative and the Government of the Soviet Union were continuing their practice of fabricating and disseminating false charges. After recalling the General Assembly resolutions 110(II) of 3 November 1947, originally introduced and supported by the USSR delegation, and 381 (V) of 7 November 1950, both condemning propaganda against peace, the representative of the United States quoted a number of excerpts from USSR radio and press statements, as well as from sources in other countries, to show that the Government of the USSR was continuing to wage a world-wide campaign of hatred against the United States and the United Nations. As the trustees of the Charter, the Council could not afford to overlook that type of attack. By supporting the United States draft resolution, the members of the Council could demonstrate to the Government of the USSR the wisdom of dropping its campaign of hatred.

The representative of the USSR stated that official statements received from the Governments of the Chinese People's Republic and the People's Democratic Republic of Korea which were before the Council proved that the United States forces had used bacterial weapons in Korea and China. The USSR publicity media had merely published the facts cited in those statements. The United States draft resolution, he protested, was provocative and designed to divert public attention from the question.

He said that the proposed investigation by the "International" Committee of the Red Cross had been rightly rejected since that body was in no sense international but merely a tool of United States policy. The offer from the World Health Organization had also been rejected because that organization did not possess the required international authority and, over a number of years, had failed in the task of combating disease. He referred, in this connexion, to a telegram (S/2684) from the Foreign Minister of the People's Democratic Republic of Korea to the Secretary-General which stated that his Government had successfully combated the epidemics and did not need the help of the World Health Organization. He concluded that the evidence that had been cited proved that the United States forces had used bacterial weapons in Korea and China.

Moreover, the question could not be discussed in the Council without the participation of the representatives of the Chinese People's Republic and the People's Democratic Republic of Korea. That position, he said, was supported by Article 32 of the Charter and reflected in rule 38 of the Council's rules of procedure, providing for the participation of both sides in the discussion of a dispute considered by the Council. He therefore declared that he would not participate in the discussion of the second United States draft resolution.

At the 589th and 590th meetings, held on 8 and 9 July, the representatives of Greece, the Netherlands, China, France, Brazil, Chile, the United Kingdom and Turkey made statements supporting the United States draft resolution. It was argued that, in spite of the affirmations of the USSR representative and the documents he had quoted, no proof of the just basis of the Communist charges had been given. It was to be regretted that the Soviet veto had not only made an impartial investigation impossible, but had even made it impossible for the North Korean and Peiping authorities to reconsider the question. Actually, because of the Soviet veto, one could not offer absolute proof of the falsity of the accusations proffered, since such proof could only result from an investigation on the spot; and that was precisely the reason why the Soviet Union would in no circumstances permit such an investigation to take place. The Security Council, even in the face of the threatened Soviet veto, must condemn such practices which deeply troubled international relations and peace. Moreover, it was a moral duty for the Security Council to back the forces which were fighting to defend collective security, when they were subjected to attacks as unjust as they were serious.

The representative of Pakistan stated that his delegation would abstain in the vote. His Government thought that it would be somewhat difficult to treat a matter which one wanted investigated as though the investigation had taken place and as though the guilt had been proved. However, he wished to stress that, if the proposal to have an impartial investigation had been accepted, the discussion on the item would not have finished. It would have come back to the Council at a much riper stage. Therefore, accepting that proposal would not have shut the door on an invitation to the authorities of the People's Republic of China and of North Korea.

At the 590th meeting on 9 July 1952, the United States draft resolution (S/2688) was put to the vote. The vote was 9 in favour, 1 against

(USSR), and 1 abstention (Pakistan). Since the negative vote was cast by a permanent member of the Council, the draft resolution was not adopted.

2. Item Submitted to the General Assembly

By a letter dated 20 October 1952 (A/2231) the Chairman of the United States delegation to the seventh session of the General Assembly requested that the item "Question of impartial

investigation of charges of use by United Nations forces of bacteriological warfare" should be placed on the agenda of the session.

At its 386th meeting, on 21 October, the General Assembly decided to include the item in its agenda and to refer it to the First Committee for consideration and report. The item was not considered during the period covered by the present issue of the Yearbook. The item was considered at the second part of the seventh session in 1953 and will therefore be dealt with in the 1953 Yearbook.

P. REPORT OF THE COLLECTIVE MEASURES COMMITTEE

After the Assembly's sixth session had discussed the report of the Collective Measures Committee (A/1891), it adopted resolutions 503 A and B (VI) of 12 January 1952, which, *inter alia*,⁹⁶ directed the Collective Measures Committee to continue for another year its studies of methods which might be used to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter, taking account of both regional and collective self-defence arrangements.

The Collective Measures Committee met again on 15 April 1952. Mr. Joao Carlos Muniz (Brazil) continued as its Chairman. In order to expedite consideration of its work, the Committee appointed a Sub-Committee on Economic and Financial Measures and a Sub-Committee on Military Measures to study and report to the full committee on particular subjects.

In its report (A/2215) submitted to the Assembly's seventh session, the Committee stated that its work during 1952 had consisted primarily in an elaboration of particular subjects within the framework of the United Nations collective security system outlined in the first report of the Committee (A/1891), to which the second report should be considered supplementary.

Recognizing the importance of providing instruments and machinery ready for use in collective action, the Committee, the report stated, had drawn up three lists of materials to which selective embargoes might be applied:

(1) a list of arms, ammunition and implements of war; (2) a reference list of items of primary strategic importance, which might be as important for an aggressor as arms and ammunition; (3) a reference list of strategic items that might prove of vital importance in specific situations, containing such items as industrial equipment, metals, minerals, chemicals, petroleum and rubber.

The Committee had also studied the economic and financial aspects of the problem of equitable sharing of burdens involved in collective measures. In the Committee's view, the basis for such equitable sharing could not be formulated in advance of a specific situation, but consideration should be given at the time when collective measures were initiated to the establishment of machinery to deal with this question. The Committee further stated that it was important to recognize that the measures of assistance to victims of aggression, set forth in the first report of the Committee, might also be appropriate in cases of hostile economic pressure constituting a threat to the peace.

The Committee, the report stated, had studied the potential role of the United Nations organs and specialized agencies in application of collective measures and found that the possibilities varied greatly from agency to agency, but that the various agencies within their field of competence could play a useful and important role in the application of collective measures. Each specialized agency should be regarded as responsible for deciding the nature and extent of its participation in collective measures. However, Members of the United Nations which were also Members of the specialized agencies had an essential part to play in assuring ready co-operation and assistance on the part of those agencies.

As to collective military measures, the Committee was able only to give preliminary consideration to a proposal submitted by the Secretary-General for the establishment of a United Nations Volunteer Reserve, consisting of units of volunteers organized within the various national military establishments, trained and held in reserve for United Nations collective action.

⁹⁶ See Y.U.N., 1951, pp. 182-89.

In the general conclusion to its report, the Committee expressed the view that the work initiated to strengthen the United Nations in the collective security field should be continued either by the Collective Measures Committee or by another appropriate new United Nations body. The pertinent Committee should continue to study the information furnished by States on their progress in preparing for participation in United

Nations collective action, and should also, for the purpose of reporting to the General Assembly and the Security Council, continue the studies on subjects related to those covered in the first and the second report, among others the Secretary-General's proposal for a Volunteer Reserve.

The Committee's report had not yet been discussed by the seventh session when the Assembly recessed in December 1952.

Q. ADMISSION OF NEW MEMBERS

1. New Applications for Admission

The following new applications for admission to Membership in the United Nations were submitted on the dates indicated:

- (1) Vietnam—17 December 1951 (S/2446)
- (2) Libya—24 December 1951 (S/2467)
- (3) Democratic Republic of Vietnam—27 December 1951 (S/2466) also 22 November 1948 (S/2780)⁹⁷
- (4) Japan—16 June 1952 (S/2673)
- (5) Cambodia—25 June 1952 (S/2672)
- (6) Laos—30 June 1952 (S/2706)

2. Consideration by the Security Council

On 1 February 1952, the General Assembly adopted resolutions 506 A and B (VI) which recommended, *inter alia*, that the Security Council reconsider all pending applications for the admission of new Members, requested the permanent members of the Council to confer with one another soon with a view to assisting the Council to come to positive recommendations in regard to the pending applications and requested the Council to report to the Assembly at its seventh session on the status of applications still pending.⁹⁸

At its 577th meeting on 18 June 1952, the Security Council had before it the following item, submitted by the President (the representative of the USSR) as item 3 of the provisional agenda: "Adoption of a recommendation to the General Assembly concerning the simultaneous admission to membership in the United Nations of all fourteen States which have applied for such admission". The USSR proposed a draft resolution (S/2664) providing that the Council recommend to the General Assembly the simultaneous admission of the following States: Albania, Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and Libya.

By 7 votes to 1 (USSR), with 3 abstentions (China, Pakistan, United Kingdom), the Council rejected the USSR proposal to include the matter as item 3 of the agenda. It then adopted unanimously a proposal submitted by Chile and the Netherlands which included the USSR proposed item as sub-paragraph (a) under the heading: "Admission of new Members", with the following added as sub-paragraph (b): "Consideration of General Assembly Resolution 506(VI)."

a. CONSIDERATION OF THE USSR DRAFT RESOLUTION

At the 590th meeting of the Council on 9 July, the representative of the USSR reiterated his delegation's view that the simultaneous admission of all fourteen States which had submitted applications would be a fair and objective decision on the question, without discrimination against certain countries and favouritism towards others. That proposal, he said, had been approved by a majority of United Nations Members in the First Committee and in the plenary meetings during the sixth session of the Assembly and had only failed of adoption on account of procedural tricks and pressure exercised by the United States on countries depending upon it. The USSR proposal was also in line with General Assembly resolution 506(VI) which recommended that the Council should reconsider all pending applications for membership.

The representative of Greece opposed the USSR proposal on the ground that there were other applications besides those specified in it and because the Council was to report to the next session of the Assembly on the status of applications still pending. He proposed that the Council should postpone the consideration of the question until 2 September 1952 in order to permit close

⁹⁷ Issued as a document at the request of the USSR representative on 16 September 1952.

⁹⁸ See Y.U.N., 1951, pp. 201-202.

examination of all the applications before the Council.

The representative of the USSR observed that the remaining applications were hardly on the same level as the fourteen listed in the USSR draft resolution. Some had been received very recently, and it was unlikely that agreement would be reached on the others. The USSR draft resolution included all those applications on which a decision was possible. He considered the Greek proposal to be unjustified, because the Council might have new problems to attend to by September. It was also possible, he said, that a special session of the General Assembly might be called in the near future at which the Assembly would be able to consider the question should the Council decide to recommend the admission of fourteen new Members.

The majority of the members of the Council supported the Greek proposal, and it was adopted at the 591st meeting on 9 July by 8 votes to 1 (USSR), with 2 abstentions (Chile, Pakistan).

The provisional agenda of the 594th meeting of the Council on 2 September included as subparagraph (c) under the heading "Admission of new Members", the following: "New applications for membership (S/2446 (Vietnam), S/2466 (Democratic Republic of Vietnam), S/2467 (Libya), S/2672 (Cambodia), S/2673 (Japan) and S/2706 (Laos))". The President (the representative of Brazil) explained that he had felt it advisable to include the sub-item so as to enable the Council to consider the applications on which it had not yet reported to the General Assembly and which it had not considered on an individual basis.

The USSR representative thought that it was inopportune to consider these applications, in particular those of Japan, Laos, Cambodia and Vietnam, for the reasons which he had previously stated (see above). There was no need, he felt, to include Libya's application under the proposed sub-item since, in addition to being covered in the USSR draft resolution, it had already been considered by the Council and by the General Assembly and was, moreover, by implication included under sub-item 2(b), since it was dealt with in General Assembly resolution 506(VI).

The Security Council included sub-item 2(c) in the agenda by 10 votes, with 1 abstention (USSR).

b. CONSULTATION OF THE PERMANENT MEMBERS

Chile and Pakistan submitted a draft resolution (S/2694) urging the permanent members of

the Council to give their earnest attention to the General Assembly's request in resolution 506 A (VI) that they confer on pending applications. The permanent members, however, regarded this draft resolution as unnecessary, and expressed their readiness to hold consultations, and the joint draft was not voted on.

At the Council's 594th meeting on 2 September, the President for August (the representative of the United States) reported that a meeting of the permanent members had been held on 21 August to give them an opportunity to confer on the pending applications for membership. An effort had been made to find a basis for agreement, but agreement had not been possible and the permanent members had not changed their positions.

c. DISCUSSION OF THE USSR DRAFT RESOLUTION

The USSR draft resolution was discussed from the 594th to 597th meetings of the Security Council from 2 to 8 September.

During the discussions, the USSR representative said that the United States, the United Kingdom and France had made it clear that there was no intention of reaching agreement on the admission of the fourteen States listed in the USSR proposal to membership in the United Nations. The opposition to the admission of the people's democracies was, he charged, due to the unwillingness of the United States to admit to membership those States whose internal structure it did not like; ruling circles in the United States wished to constrain those countries to change their internal system of government. That position was not only a gross violation of the obligations assumed at Teheran and Potsdam, and under the peace treaties, but was also directly contrary to the Charter. He cited facts and statistics which, he said, showed the pacific policies and genuine democratic development of the fourteen countries listed in the USSR draft and maintained that they met the requirements for membership.

It was not the position of the USSR, he said, but the attitude of the United States which was causing the deadlock on the admission of new Members. The question had reached such dimensions that it could only be solved by admitting simultaneously the fourteen States which had applied for Membership. There was nothing in the Charter, he said, to prevent the admission of several States by a single resolution. Moreover, the United States itself had created a precedent at the 54th meeting of the Council on 28 August

1946 by proposing that the eight States which had applied for membership should be admitted simultaneously. That proposal had been supported by the Secretary-General, and also by the representatives of Brazil, China, Mexico and Egypt. The method being advocated by the USSR was the same as had been advocated by the United States in 1946 and there was no threat to the Charter at present as there had been none in 1946.

The representatives of Brazil, China, France, Greece, the Netherlands, Turkey, the United Kingdom and the United States opposed the USSR proposal, maintaining that it was contrary to Article 4 of the Charter according to which the application of each candidate should be considered separately. They held, also, that according to the advisory opinion of the International Court of Justice of 28 May 1948,⁹⁹ it would be wrong to attach to the admission of one applicant a condition that another applicant must be admitted at the same time. Moreover, the representatives of China, Greece, Turkey, the United Kingdom and the United States maintained, certain countries listed in the USSR proposal were not qualified for membership. Among the views expressed by these representatives were the following:

The representative of Greece stated that the objection to the admission of Albania, Bulgaria, Hungary, Romania and the Mongolian People's Republic was not due solely to their internal structure. Yugoslavia was also a Communist State but that did not prevent his country and all other non-Communist nations from having peaceful and friendly relations with it.

The representative of China stated that the USSR proposal did not include the Republic of Korea whose exclusion his Government could not accept. He requested that under rule 32 of the rules of procedure the applications of each of the countries listed in the USSR draft resolution should be put to the vote separately. A similar view regarding the Republic of Korea was also expressed by the representative of the United States who said that Austria, Ceylon, Finland, Ireland, Italy, Jordan, Libya, Nepal and Portugal, of those listed in the USSR proposal, were fully qualified and should be admitted.

Referring to the "obligations" supposedly assumed by the United Kingdom and the United States under the Peace Treaties and the Potsdam Agreement, the representative of the United Kingdom said that the relevant clauses in the Peace Treaties were merely "enabling clauses" and not mandatory ones. He quoted the preamble to the Peace Treaties as saying ". . . thereby enabling

the Allied and associated Powers to support an application to become a Member of the United Nations." This, he said, was merely the statement of the fact that the signatories would be enabled to support an application.

The representative of France stated that the USSR point of view was contradictory. While basing itself on Article 4 of the Charter, which formally stated that only peace-loving States could become Members, it was nevertheless willing to recommend the admission of States which it said could not be regarded as peace-loving on the condition that its own proteges were admitted. Moreover, it was not the simultaneous admission of the fourteen States that the USSR had really proposed but their collective admission, in a manner which made the admission of any one of them conditional upon the admission of the others. France had opposed a similar USSR proposal in February 1952¹⁰⁰ and saw no reason to change its attitude.

The representative of the Netherlands stated that, since the sixth session of the General Assembly had felt that the whole problem of the admission of new Members should once again be thoroughly examined at the seventh session and since the gap between the opposing points of view in the Security Council continued to exist, little progress could be expected from further discussions in the Council. His Government therefore favoured a postponement of those discussions until the next session of the Assembly when the views of all Members could be ascertained. However, he concluded, should the Council decide to pronounce itself on the various proposals before it, his delegation would reaffirm its previous position based on Article 4, paragraph 1, of the Charter and the advisory opinion of the International Court of Justice of 28 May 1948.

In reply, the representative of the USSR said that he was not haggling, but was making a broad political approach to the solution of the question. The USSR was prepared to withdraw its objection to the favourites of the "American-British bloc" despite the fact that it was legally entitled under the Charter to oppose the admission of some of those States. The USSR proposal, he said, provided a basis for agreement.

In reply to the President, he stated that his delegation did not accept the Chinese proposal, under rule 32 of the rules of procedure, for a separate vote on each of the applications noted in the USSR draft resolution. He pointed out

⁹⁹ See Y.U.N., 1947-48, pp. 797-801.

¹⁰⁰ See Y.U.N., 1951, p. 205.

that under that rule the request could not be maintained if the representative who had submitted the draft resolution did not agree with the proposed change.

The USSR draft resolution (S/2664) was rejected at the 597th meeting of the Council on 8 September 1952 by 5 votes to 2, (Pakistan, USSR), with 4 abstentions (Chile, France, Turkey and the United Kingdom).

d. CONSIDERATION OF GENERAL ASSEMBLY RESOLUTION 506 (VI)

The Council then discussed the General Assembly's recommendation that it reconsider all pending applications for admission. Several representatives contended that the discussion in the Council had already in effect fulfilled that recommendation. The representative of Chile, while agreeing that the situation was unfavourable for such reconsideration, stressed a number of considerations with a view to creating favourable conditions for a future change in the situation. While the application of the rule of unanimity in matters of security could have political justification, he said, it had no such justification with regard to the admission of new Members. He also believed that the requirements of Article 4 of the Charter should be interpreted in a realistic manner. It was obviously impossible to admit a State which openly and flagrantly violated the most essential principles of the Charter, as in the case of a country committing acts of aggression, but the standard generally applied must not be more rigorous than that applied to States which were already Members. Unfortunately, there were many Member States in which fundamental human rights were not observed to the extent laid down in the Universal Declaration. Further, the presence in the United Nations of applicants which were considered to be dominated by other States could only serve to hasten their progress toward independence.

After a procedural discussion, the Council decided to proceed to the examination of new applications for membership, leaving open for the time being the question of the consideration of the General Assembly's resolution.

e. CONSIDERATION OF NEW APPLICATIONS

On this question, the Council had before it the following draft resolutions: (1) a draft resolution by Pakistan (S/2483) recommending the admission of Libya; (2) a draft resolution by the United States (S/2754) recommending the admission of Japan; (3) draft resolutions by

France (S/2758, S/2759 and S/2760) recommending the admission, respectively, of Vietnam, Laos and Cambodia; and (4) a draft resolution by the USSR (S/2773) recommending the admission of the Democratic Republic of Vietnam.

The President, noting that none of the applications listed on the sub-item had been referred to the Committee on the Admission of New Members, raised the question of what procedure the Council wished to follow. Several representatives, including those of Chile, France, Pakistan and the USSR, considered that the normal course would be to refer the applications to the Committee. Other representatives disagreed, holding that the council should examine the applications directly. After considerable discussion at the 598th and 599th meetings on 10 and 12 September, the Council adopted the proposals for the direct consideration of the applications of Libya, Japan and Vietnam, Cambodia and Laos.

(1) Application of Libya

The representative of Pakistan, supported by the representatives of Brazil, Chile, China, France, Greece, the Netherlands, Turkey, the United Kingdom and the United States, spoke in favour of the Pakistan draft resolution recommending the admission of Libya. They pointed out that the General Assembly had adopted a favourable decision on Libya's application without a single opposing vote. Libya was fully qualified for membership, and the United Nations had a heavy responsibility toward that country since it was responsible for Libya's independence.

The representative of the USSR reiterated his delegation's view that Libya's application could not be regarded as a new one and declared that the USSR had never opposed in the past and did not then oppose the admission of Libya to membership in the United Nations on the same basis as other, equally eligible, States.

The Pakistan draft resolution recommending the admission of Libya (S/2483) was voted upon at the 600th meeting of the Security Council on 16 September. There were 10 votes in favour and 1 against (USSR). The draft resolution was not adopted since the negative vote was that of a permanent member of the Council.

(2) Application of Japan

The representative of the United States, supported by the representatives of Brazil, Chile, France, Greece, the Netherlands, Pakistan, Turkey, and the United Kingdom, spoke in favour of the United States draft resolution recommending the admission of Japan. They cited Japan's

record of co-operation since the war and its re-establishment as a sovereign and independent State following the Treaty of Peace which had entered into effect on 18 April 1952 as arguments in favour of Japan's admission.

The representative of the USSR reiterated his view that the time had not come to consider the application of Japan, which, he said, had been made an instrument of United States policy in the Far East, could not be regarded as an independent and self-sufficient sovereign State and was not in a position independently to fulfil the obligations incumbent on Members under the United Nations Charter.

The United States draft resolution was voted upon at the 602nd meeting of the Council on 18 September 1952. There were 10 votes in favour and 1 against (USSR). The draft resolution was not adopted since the negative vote was that of a permanent member.

(3) Applications of Vietnam, Cambodia and Laos, and of the Democratic Republic of Vietnam

The representative of France, supported by the representatives of Greece, the Netherlands, the United Kingdom and the United States, spoke in favour of the French draft resolutions recommending the admission of Vietnam, Laos and Cambodia. The representative of France stressed that these States were free, sovereign and independent States associated with the French Union. Members supporting the draft resolution considered them fully qualified for membership.

The representative of the USSR contended that the applications were those of puppet regimes set up by France with United States support and that the only State which could conceivably be considered for admission was the free and independent Democratic Republic of Vietnam, which, as it had stated, was the only legitimate Government of Vietnam.

The French draft resolutions (S/2758, S/2759 and S/2760) recommending respectively the admission of Vietnam, Laos and Cambodia were voted upon at the 603rd meeting on 19 September. They received 10 votes in favour and 1 against (USSR). The draft resolutions were not adopted because in each case the negative vote was that of a permanent member of the Council.

The representative of France held that there was no need for the Council to consider the USSR draft resolution recommending the admission of the "Democratic Republic of Vietnam" which, he said, was a political faction completely lacking all the qualifications and characteristics which made the difference between a government

and a mere de facto Power. This position was supported by other members of the Council, including the representatives of China, the United Kingdom and the United States.

The representative of the USSR said that the struggle that France had been forced to wage in Indo-China was the most convincing argument in support of the application of the Democratic Republic of Vietnam whose existence it clearly proved.

The USSR draft resolution (S/2773) recommending the admission of the Democratic Republic of Vietnam was rejected by 10 votes to 1 (USSR). The Security Council did not consider the pending applications of the Republic of Korea and of the Democratic People's Republic of Korea.

3. Consideration by the General Assembly at its Seventh Session

The question of the admission of new Members was included in the provisional agenda of the seventh session of the General Assembly under resolution 506 B (VI). The General Assembly also had before it at that session the special report of the Security Council (A/2208) outlining its consideration of the question of the admission of new Members.

At its 380th plenary meeting on 16 October 1952, the General Assembly decided to include the item in the agenda of the seventh session under the title "Admission of New Members: (a) Status of applications still pending: Report of the Security Council; (b) Request for an advisory opinion from the International Court of Justice: Draft resolution proposed by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua at the sixth session (A/C.1/708)." The item was referred to the Ad Hoc Political Committee for consideration and report.

a. DISCUSSION IN THE Ad Hoc POLITICAL COMMITTEE

The Ad Hoc Political Committee considered the question of the admission of new Members at its 42nd to 50th meetings from 12 to 19 December 1952. The debate in the Committee centred mainly on the relative powers and functions of the Security Council and the General Assembly in the admission of new Members, and on the various proposals for ending the existing deadlock.

(1) Draft Resolutions before the Committee

The following draft resolutions were submitted:

(a) PERUVIAN DRAFT RESOLUTION

Peru submitted a draft resolution (A/AC.61/L.30) under which the General Assembly would state, *inter alia*:

(i) that it appeared from the proceedings in the Security Council that vetoes had been pronounced on applicant States which had been recognized as fulfilling the conditions governing admission and that these vetoes seemed to have been influenced by motives outside the scope of Article 4 of the Charter and hence to be in conflict with the Court's advisory opinion of 28 May 1948;

(ii) that the unanimity rule had not been conceived or accepted as a means of authorizing any Power to deny the proved and recognized qualifications of the States applying for membership and so to exclude them indefinitely from the legal community to which they were entitled to belong;

(iii) that there were sound reasons for claiming that that rule, being an exception, should only be applied restrictively and hence only in the cases which involved the functions exclusively vested in the Security Council;

(iv) that in the matter of the admission of new Members, as shown by the records of the San Francisco Conference, the final decision lay with the Assembly, and that, accordingly, the Council's recommendation, though necessary, was a previous step or a procedural stage which did not require the application of the unanimity rule;

(v) that even if the rule were applicable to the Council's recommendation it would be inadmissible in cases in which it involved a violation of the Charter, such as would be constituted by accepting a veto to the admission of new Members which had been acknowledged by the Power exercising the veto as eligible within the meaning of Article 4; and

(vi) that the resolution entitled "Uniting for Peace", approved almost unanimously by the Assembly, had laid down the doctrine that the exercise of the veto by a Power could not paralyze the Organization or relieve the General Assembly of its responsibilities under the Charter. Accordingly, the Assembly would resolve to note: (1) that the opinions, votes and proposals laid before the Council concerning the admission of new Members signified that the States concerned were unanimously recognized as fulfilling the conditions required for membership under Article 4; and (2) to consider each of the applications of those States in the light of the purposes and principles of the Charter and of the above circumstances.

Among the views stated by the representative of Peru in support of his delegation's proposal, was the contention that the Security Council had interpreted the voting procedure adopted at San Francisco in a manner extending beyond its own jurisdiction and affecting indirectly other principal organs of the United Nations. The interpretation of the Charter, he said, was a matter primarily for the General Assembly, which had received its mandate directly from the peoples whose representatives had drafted the Charter at San Francisco and which exercised a right of supervision over the Council, under Article 10,

since it could make recommendations to the Council on any matters within the scope of the Charter except as provided in Article 12. The judgment which the Organization was called upon to take under Article 4 of the Charter involved not only the applicant's current attitude but also its future international conduct. Such a judgment could not be discretionary, still less arbitrary. A vote determined by conditions not provided for in the Charter or which were at odds with evidence that had not been disproved was an arbitrary act. In such a vote, the unanimity rule could not apply, since it had been designed solely for legitimate purposes. Once the conditions for membership were fulfilled, it was intolerable that one single State should, by abusing its privileges, refuse admission to peace-loving States and so deprive the Organization of the universality which would alone enable it to ensure the maintenance of an equally universal peace.

The representative of Peru subsequently requested that his draft resolution be considered part of the terms of reference of the special committee whose establishment was proposed under the five-Power joint draft resolution (see below).

(b) JOINT DRAFT RESOLUTION OF COSTA RICA, EL SALVADOR, HONDURAS AND NICARAGUA

On 12 December, the representative of El Salvador withdrew, on behalf of the sponsors, the draft resolution originally submitted during the sixth session by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua (A/AC.61/L.29).¹⁰¹ A new joint draft resolution (A/AC.61/L.31) was submitted by Costa Rica, El Salvador, Honduras and Nicaragua. Under this proposal, the General Assembly, *inter alia*, would:

(i) state that it was essential for the purposes of the United Nations to facilitate the admission of new Members which fulfilled the conditions laid down by the Charter;

(ii) deduce from the declaration of 7 June 1945 on voting procedure in the Security Council, which had been subscribed to by the five permanent members of the Council, that the admission of new Members was not subject to veto but was to be dealt with by a "procedural vote", in other words by the vote of any seven members of the Council; and

(iii) state that the General Assembly, as the organ chiefly responsible for deciding on applications for membership, had the right and also the duty to decide on the pending applications in accordance with that criterion.

Accordingly, it would decide to consider separately each pending application and decide in

¹⁰¹ Circulated to the First Committee as document A/C.1/708. See Y.U.N., 1951, p. 200.

favour of or against admission in accordance with the merits of each case and the results of a vote taken in the Security Council in conformity with Article 27, paragraph 2, of the Charter.

The representative of El Salvador, introducing the draft resolution on behalf of the sponsors, advanced, among others, the following arguments.

The statement of 7 June 1945 by the four sponsoring Powers, on the basis of which the unanimity rule had been adopted, showed that any decisions by the Security Council which did not involve the taking of direct measures for the maintenance of international peace and security were, for voting purposes, held to be procedural. It was in that spirit that Article 27, paragraph 2, of the Charter had been drafted. In that connexion he recalled that the proposal of the United States in the Interim Committee (A/AC.18/41) in March 1945 for the adoption of a list of decisions which the Security Council could take by an affirmative vote of any seven of its members included decisions on the question of the admission of new Members. The fact that the abstention of a permanent member of the Council could not by itself prevent a decision under Article 27, paragraph 3, despite the literal terms of that paragraph, argued in favour of a liberal interpretation of Article 27, paragraph 2. He pointed out that it had been decided at San Francisco that each United Nations body should have the right to interpret those provisions of the Charter for the application of which it had the responsibility. If the Council informed the Assembly that seven of its members had voted in favour of the admission of a State, but that that State had not been recommended because of the negative vote of a permanent member, it would be for the General Assembly to interpret and apply the provisions of Article 27 and to decide whether or not there was a favourable recommendation by the Council. Should the Assembly consider the question to be one to which the veto could apply, it would decide that there was no recommendation; if, on the other hand, it regarded the question as procedural, it would decide that the affirmative vote of seven members of the Council authorized it to examine the application and take its own decision on the case.

An Argentine amendment (A/AC.61/L.36) to the joint draft resolution provided, among other things:

(1) for a reference to the interpretation by the Advisory Committee of Jurists at the San Francisco Conference, an interpretation subsequently approved by Committee II and the Conference itself, to the effect that the powers of the Assembly to "reject a recom-

mendation 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, were expressly recognized; and (2) that the General Assembly resolve to consider each application on its merits and decide on it accordingly.

The representative of Argentina said that his country's position regarding admission had been to champion the sovereign powers of the General Assembly, the universality of the Organization and the legal equality of States. He held that there was no basis in the Charter for the theory that a favourable recommendation was an absolute prerequisite for admission or for the theory that the Security Council must take the initiative in the matter.

Once the Council had considered an application, it might be held to have participated to the extent required by the Charter in formulating the judgment of the Organization. Its opinion, favourable or unfavourable, had to be transmitted to the Assembly, which was responsible for making a decision. He also supported the view that the veto could not be used to violate the Charter itself. It was not applicable in the case of decisions relating to the admission of new Members, where the General Assembly and the Security Council had concurrent powers, but where the General Assembly was responsible for making a final decision while the Council's sole duty was to make recommendations.

The representative of El Salvador, on behalf of the sponsors of the joint proposal, later stated that the sponsors did not insist upon a vote on the joint draft resolution and requested that it be referred to the Special Committee proposed under the five-Power joint draft resolution (A/AC.61/L.32) (see below).

The representative of Argentina said that he would not insist upon his amendment in view of the statement of the representative of El Salvador.

(c) JOINT DRAFT RESOLUTION OF COSTA RICA, EL SALVADOR, GUATEMALA, HONDURAS AND NICARAGUA

A joint draft resolution by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua (A/AC.61/L.32) was submitted at the same time as the four-Power joint draft resolution referred to above. The representative of El Salvador explained that this draft resolution should be taken up only if the Committee found itself unable to reach a decision of substance on the question.

Under this proposal, the General Assembly, bearing in mind that the applications for admis-

sion of a large number of States were still pending, despite the fact that seven or more votes had been cast in favour of the admission of many of them in the Security Council, would resolve:

(i) to establish a special committee composed of the representatives of sixteen Member States;

(ii) to instruct that Committee to make a detailed study of the question of the admission of States to membership in the United Nations, in the light of the discussions in the Assembly and its Committees, of any suggestions which might be submitted to the special committee, and of the advisory opinions of the International Court of Justice and the principles of international law;

(iii) to request the committee to submit a report on its work and its conclusions to the General Assembly at its eighth session; and

(iv) to arrange for the item "Admission of New Members" to be included in the provisional agenda of the eighth session.

Two amendments to this joint draft resolution were submitted. One by Denmark, Norway and Sweden (A/AC.61/L.41) would insert in the preamble a reference to previous Assembly resolutions on the subject and would delete from the preamble mention of votes in the Security Council. This amendment was included in a revision of the joint draft resolution (A/AC.61/L.32/Rev.1/Corr.1) along with other changes made in the light of the discussion.

An amendment to this revised text was submitted by Uruguay (A/AC.61/L.44) to provide:

(1) that the special committee be composed of representatives of 25 Member States to be designated by the President of the General Assembly; and (2) that the special committee conduct its study of the question in the light of all the antecedents of the question.

The sponsors of the joint proposal submitted a second revision (A/AC.61/L.32/Rev.2) which covered the substance of the second part of the Uruguayan amendment, and the first part of the amendment was later withdrawn.

Under the second revision of the five-Power joint draft resolution (A/AC.61/L.32/Rev.2), the General Assembly would resolve:

(1) to establish a special committee composed of the representatives of Argentina, Belgium, Canada, China, Colombia, Cuba, Czechoslovakia, Egypt, El Salvador, France, Greece, India, Lebanon, the Netherlands, New Zealand, Norway, Peru, the Philippines, the USSR, the Union of South Africa, the United Kingdom and the United States; (2) to instruct this committee to make a detailed study of the question of the admission of new Members, examining the proposals and suggestions which had been made in the General Assembly and its Committees or which might be submitted to the special committee by any Members of the United Nations in the light of the relevant provisions of the Charter, and the discussions in the General Assembly and its Committees, of the debates in the Security Council, and the advisory opinions of

the International Court of Justice and of the principles of international law. The Special Committee was also to report on its work and its conclusions to the eighth session of the General Assembly.

(d) POLISH DRAFT RESOLUTION

Poland submitted a draft resolution (A/AC.61/L.35/Rev.1) providing that the Assembly request the Security Council to reconsider the applications of Albania, the Mongolian People's Republic, Bulgaria, Romania, Hungary, Finland, Italy, Portugal, Ireland, Jordan, Austria, Ceylon, Nepal and Libya, in order to submit a recommendation on the simultaneous admission of all these States as Members of the United Nations.

Introducing the draft resolution, the representative of Poland said that the signatories of the Charter appeared to have resolved the question of the admission of new Members in a simple, unequivocal manner under the terms of Articles 4, 18, paragraph 2, and 27, paragraph 3. Article 27 required the concurring votes of the five permanent members of the Council on all except procedural matters. It embodied the fundamental political idea of the unanimity of the Great Powers in deciding on a matter so essential as membership of the United Nations, its universality and its role in international relations. The United States and certain other States, the representative of Poland said, had been attempting ever since the inception of the Organization to distort and ultimately to destroy that key concept, with the result that a large number of States remained outside the Organization, a situation which could only have an adverse effect on the system of international relations. The United States and the United Kingdom, he said, had adopted a discriminatory attitude toward States with political systems not to their liking, with no legal or factual basis for that position. They had violated the unequivocal obligation which they had undertaken in the peace treaties to support the applications for membership of Romania, Hungary and Bulgaria. He considered that the USSR position favouring simultaneous admission of all applicant States was the only just course toward a proper solution of the problem.

Six draft resolutions were submitted on individual applications.

One by the United States (A/AC.61/L.37) would have the General Assembly determine that Japan was qualified under the Charter and should therefore be admitted to membership and would request the Council to take note of that determination.

Three draft resolutions submitted by France (A/AC.61/L.38, A/AC.61/L.39 and A/AC.61/L.40) provided for similar decisions by the General Assembly concerning the applications of Vietnam, Cambodia and Laos.

Two draft resolutions submitted jointly by Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen (A/AC.61/L.42/Rev.1 and A/AC.61/L.43) provided for similar decisions with regard to Libya and Jordan.

(2) Consideration and Decisions Taken by the Ad Hoc Political Committee

The majority of the representatives who spoke, including, among others, the representatives of Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Cuba, the Dominican Republic, Egypt, El Salvador, France, Greece, Guatemala, Haiti, Iran, Iraq, Mexico, the Netherlands, New Zealand, Peru, the Philippines, Sweden, Turkey, the Union of South Africa, the United Kingdom, the United States, Uruguay and Yugoslavia, supported the second revision of the five-Power joint draft resolution (A/AC.61/L.32/Rev.2) for the establishment of a special committee to consider the question of the admission of new Members. They considered that that committee would be able to consider all the elements of the problem, undisturbed by the pressure of time. Many of these representatives, however, expressed differing views on the proposals bearing on the substance of the question of the admission of new Members. In addition to the views of the sponsors of the various draft resolutions and amendments (see above), the following were among the principal views expressed.

The representatives of Sweden and Yugoslavia, among others, considered that the solution of the problem should be based on the principle of universality of the United Nations, since only thus would it be possible to overcome the obstacles which had thus far prevented the admission to membership of the long list of applicant States. There was nothing, they considered, to preclude a more liberal interpretation of Article 4. In this connexion, the representative of Yugoslavia said that certain Member States, although in the opinion of the majority they did not always live up to the spirit of that Article, nevertheless remained Members.

The representatives of India and the United Kingdom considered that the argument that the Declaration of 7 June 1945 justified the view that the veto did not apply to the admission of new Members could not possibly be sustained. The admission of new Members obviously came within the category of decisions requiring the unanimity of the permanent members of the Council. It was impossible to claim that the

question of the admission of new Members, which was expressly included among the major decisions to be settled by a two-thirds majority of the Assembly, was procedural for the Security Council, while it was one of substance for the General Assembly.

The representatives of Chile, Haiti, Indonesia, the Philippines and Yugoslavia emphasized that the problem was primarily a political one arising from the tension which characterized the relations between the Great Powers and could not be solved on a legal or juridical basis. Attention should be concentrated, these representatives held, on methods to admit as many qualified States as possible within the procedure laid down by the Charter.

The representatives of Ecuador and New Zealand emphasized that any solution would be in vain if it disregarded the terms of the Charter.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR held that the four-Power Central American draft resolution (A/AC.61/L.31) and the Peruvian draft resolution (A/AC.61/L.30) contained ridiculous assertions, contrary to the Charter, concerning the manner in which new Members were admitted. With respect to the interpretation of the Charter, it had been made clear at the San Francisco Conference that each organ would interpret the sections of the Charter which applied to its powers. The sponsors of the draft resolutions had attempted to maintain that the USSR had applied the unanimity rule with regard to the admission of new Members in a manner not only illegal but contrary to the Declaration of 7 June 1945 which in their view meant that admission could be classed as a procedural matter. The Declaration made by the sponsoring Powers at San Francisco specified, however, that the questions on which the Council's decision required the concurring votes of the permanent members included not only the fundamental questions enumerated in the Charter, but also the preliminary question of whether a given matter was to be considered substantive or procedural. These representatives also contended that the wording of Article 4, paragraph 2, was similar to that used in Article 5 on the suspension of a Member and in Article 6 on the expulsion of a Member. Questions as important as those could hardly be regarded as questions of procedure. It had been clearly established, they said, that the affirmative vote of all the permanent members of the Council was a condition precedent to a favourable recommendation from the Council. If that condition had not been

met, there was no recommendation. Accordingly, rules 135 and 136 of the General Assembly's rules of procedure provided that the Assembly could take no decision on the admission of a new Member in the absence of a recommendation from the Council.

In reply, the representative of El Salvador emphasized that there had been no intention in the joint draft resolution submitted by the four Central American States to allow the General Assembly to make its interpretation of Articles 4 and 27 of the Charter binding on any other organ. It could not be denied, however, that the General Assembly, acting within its competence in regard to the admission of new Members, was empowered to apply and interpret the Charter under its own responsibility. Dealing with the contention that the statement of 7 June 1945 afforded no basis for the belief that the veto was not applicable to the admission of new Members, he pointed out that that question could certainly not be characterized as a matter belonging in the first category, which included questions requiring adoption of measures for the settlement of disputes or situations likely to give rise to disputes and measures regarding threats to the peace or breaches of the peace. The first paragraph of the statement said clearly that in all questions other than those included in that first category, a "procedural vote" was applicable.

The representative of Peru declared that the voting procedure in the Security Council affected the structure of the entire Organization and must be seen in the light of the responsibilities of the General Assembly and the purposes and principles of the Charter. Every abuse of the right of veto compromised the rights and the responsibilities of the General Assembly, and it was that moral problem which created the legal problem. The overriding responsibilities of the General Assembly in the matter were also emphasized by the representatives of Colombia and Iran.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR opposed the five-Power joint draft resolution, stating that once more the method proposed was contrary to the provisions of the Charter, under which the Assembly could act only on a recommendation of the Security Council. Proposals of that kind, with minor variations, they said, were brought forward at each session of the Assembly, although their sponsors knew that they could not provide a basis for a solution of the problem, because the United States and the countries in its orbit wished to drag on the

question of the admission of new Members as another way of preventing the admission of countries whose political structure was not approved by the ruling circles of the United States.

The representative of India considered that it was difficult to see how a special committee such as was proposed by the five-Power joint draft resolution would yield better results than the Security Council. If agreement was possible, there was no reason why it could not be achieved in the Council rather than in such a committee. If agreement was not likely, there was no reason to establish a special committee to ascertain the fact. The representatives of Chile and Haiti also considered that the agreement of the Security Council was a prerequisite of any solution.

The revised five-Power draft resolution (A/AC.61/L.32/Rev.2) was voted upon at the 50th meeting of the Ad Hoc Political Committee on 19 December 1952, when it was approved by a roll-call vote of 45 to 5, with 8 abstentions. The Peruvian draft resolution (A/AC.61/L.30) and the joint four-Power draft resolution (A/AC.61/L.31) were not voted on, their sponsors having declared that they should be considered part of the terms of reference of the special committee provided for in the joint five-Power draft (see above).

In the course of the debate, a number of speakers referred to the use of the veto in the Security Council in connexion with the admission of new Members. The representative of the United States said that the existing situation was due to the fact that the USSR had been systematically abusing its right of veto in the Security Council. Otherwise, the fourteen nations which had all secured seven or more affirmative votes in the Council would have been admitted to membership in the United Nations long since. Pointing out that the five Great Powers had pledged themselves at San Francisco to refrain from using the veto wilfully to obstruct the Council's work, he declared that the Soviet Union had made the exception the rule. The other permanent members of the Council, however, had supported the proposal of General Assembly resolution 267(III) that the permanent members should try to agree among themselves on what issues they would refrain from using the veto. The resolution had suggested that the admission of new Members was such an issue. The United States had declared as early as 1947 that it would not use the veto to exclude from the United Nations any of the current applicants which the General Assembly deemed qualified and that it would be willing to accept complete elimination of the veto in

the Security Council in regard to the admission of future Members.

Other speakers, including, among others, the representatives of Brazil, Canada, China, Cuba, El Salvador, France, Greece, New Zealand, Peru, the Philippines, the Union of South Africa and the United Kingdom, expressed similar views and also condemned what they regarded as abuse of the veto. Several contrasted the attitudes adopted in that respect by the USSR and by other permanent members of the Council who had undertaken not to use the veto in the admission of new Members.

The representative of the USSR, supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, considered the view that the USSR was responsible for the deadlock in connexion with the admission of new Members to be absolutely unfounded. On the contrary, these representatives said, it was the United States Government which was responsible for the situation by having vetoed the simultaneous admission of the fourteen countries whose requests were still pending. Though the United States claimed to respect the views of the majority and contended that it had relinquished the right of veto in regard to the admission of new Members, it was making use of a concealed veto by joining its partners of the "Anglo-American bloc" in abstaining from voting on USSR proposals. They maintained that the United States and the Governments of many other States under its influence supported only the requests for admission of States which were either members of the Atlantic bloc or which the United States Government hoped would one day join it in an aggressive coalition. The only reason for the United States' objections to States like Albania, the Mongolian People's Republic, Bulgaria, Hungary and Romania was that those States did not comply with the imperialist policy of American ruling circles.

The Polish draft resolution was opposed by a number of representatives, including those of Australia, Belgium, Brazil, Canada, China, Colombia, Cuba, El Salvador, France, Greece, Guatemala, Haiti, the Netherlands, New Zealand, Peru, Turkey, the Union of South Africa, the United Kingdom and the United States. They considered that it violated the Charter and would involve disregard of the advisory opinion of the International Court of Justice of May 1948 in that the admission of certain States was made conditional upon the admission of certain others rather than upon an objective and individual study of the merits of the applicants. They also said that

it had been made clear that the USSR would oppose the admission of Japan, the Republic of Korea, Cambodia, Laos and Vietnam, all of which were entitled to membership, and would undoubtedly oppose the admission of Germany and Spain, should those countries apply. The Polish proposal thus could not even be regarded as an application of the principle of universality.

The representative of the United Kingdom stated that the provision in the peace treaties with Bulgaria, Hungary and Romania, to which the representative of Poland had referred, was only an "enabling" clause, and involved no commitment to support the applications of those countries.

Among those supporting the Polish draft resolution (A/AC.61/L.35/Rev.1) were the representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, who regarded that proposal as a just and objective solution which would break the deadlock. It was based, they said, on the principle that the United Nations must be an international organization of free and sovereign States, regardless of their constitution or ideology, united by the common desire to live together in peace and to maintain international security on the basis of equality and mutual respect.

The representative of Pakistan considered that the States listed in the Polish proposal fulfilled the conditions laid down by the Charter and deserved to be admitted. He therefore supported that proposal, along with the other draft resolutions calling for the admission of Japan and of Vietnam, Cambodia and Laos.

The representative of India supported the Polish draft resolution (A/AC.61/L.35/Rev.1), making it clear that he interpreted "simultaneous admission" to mean a series of admissions that took place at the same time, none of which was dependent upon the admission of one or several of the others. Although it provided neither an absolute nor a complete remedy, that proposal had the advantage of increasing the membership of the Organization, thereby enabling it to be more representative of the world as it was.

Similar views were expressed by the representatives of Argentina, Burma, Egypt, Indonesia, Iraq, the Philippines and Syria. At the 49th meeting of the Committee, on 19 December, the representative of Egypt requested that a separate vote be taken on the word "simultaneous". At the 50th meeting on the same day, the Committee decided, by 12 votes to 8, with 37 abstentions, to delete the word "simultaneous" from the Polish draft resolution.

As amended, the draft resolution was then rejected by 28 votes to 20, with 11 abstentions.

Most of the representatives who spoke supported the United States draft resolution concerning the admission of Japan (A/AC.61/L.37), the French draft resolution concerning Vietnam, Cambodia and Laos (A/AC.61/L.38-40) and the draft resolutions submitted by the six Arab States concerning the admission of Libya and Jordan (A/AC.61/L.42/Rev.1 and L.43).

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR opposed these draft resolutions. They held that the time was not appropriate for considering the application of Japan, which they regarded as under United States occupation, and that the applications listed in the French draft resolutions were those of puppet regimes. There was no need for separate proposals on Libya and Jordan, in their view, because those States were covered by the Polish draft resolution.

The representatives of Guatemala, Israel and Sweden indicated that they would abstain from voting on the draft resolutions dealing with specific applicants because in their view the question should be left to the special committee that was to be established. The representatives of Burma, India and Indonesia supported the draft resolutions concerning the admission of Japan, of Jordan and of Libya. They declared their intention of abstaining with regard to the draft resolutions concerning Vietnam, Cambodia and Laos, however, because of their doubts as to the status of those countries.

The representative of the Philippines said that he would abstain from voting on the draft resolution concerning the admission of Japan, because of the outstanding differences which still existed between the Philippines and that country, and on the draft resolutions concerning Vietnam, Cambodia and Laos, pending clarification of his Government's policy in regard to the political status of those countries.

At the 50th meeting, on 19 December, the United States draft resolution concerning the admission of Japan (A/AC.61/L.37) was approved by a roll-call vote of 48 to 5, with 6 abstentions.

The French draft resolution concerning the admission of Vietnam (A/AC.61/L.38) was approved by a roll-call vote of 38 to 5, with 16 abstentions. The French draft resolutions concerning the admission of Cambodia and Laos (A/AC.61/L.39 and 40) were also approved by 38 votes to 5, with 16 abstentions.

The six-Power draft resolution concerning the admission of Libya was approved by a roll-call vote of 49 to 5, with 5 abstentions. The six-Power draft resolution concerning Jordan was then also approved by 49 votes to 5, with 5 abstentions.

b. RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

The General Assembly discussed the report of the Ad Hoc Political Committee (A/2341) at its 410th plenary meeting on 21 December 1952. The representative of Poland re-introduced the draft resolution (A/L.142) which his delegation had submitted earlier in the Ad Hoc Political Committee and which called for the simultaneous admission of fourteen countries.

The representatives of Argentina, Colombia, El Salvador, Israel, the Philippines, Poland, Sweden, the USSR and the United States reiterated the position which they had taken in the course of the debate in the Ad Hoc Political Committee. The representative of the Philippines requested that a separate vote be taken on the word "simultaneous" in the Polish draft resolution, stating that this word was used in a sense unacceptable to his delegation.

The representatives of Poland and the USSR stated that they would vote against the Polish draft resolution if it were decided to omit the word "simultaneous".

The President stated that, in view of the fact that the representatives of Czechoslovakia, India and the USSR had requested that their countries be not included in the membership of the special committee contemplated in draft resolution A proposed by the Ad Hoc Political Committee (originally the five-Power Central American draft resolution), the special committee would have 19 members instead of the 22 originally provided for.

Draft resolution A, as amended, was adopted by a roll-call vote of 48 to 5, with 6 abstentions. Voting was as follows:

In favour: 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, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Saudi Arabia, 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: Afghanistan, Burma, India, Indonesia, Liberia, Pakistan.

The draft concerning the admission of Japan was adopted by a roll-call vote of 50 to 5, with 4 abstentions. Voting was as follows:

In favour: Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Saudi Arabia, Syria, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Guatemala, Israel, Philippines, Sweden.

The other five draft resolutions referring to individual countries were adopted as follows:

Vietnam, by 40 votes to 5, with 12 abstentions; Cambodia, by 38 votes to 5, with 14 abstentions; Laos, by 36 votes to 5, with 14 abstentions; Libya, by 51 votes to 5, with 2 abstentions; and Jordan, by 49 votes to 5, with 3 abstentions.

The proposal to retain the word "simultaneous" in the text of the Polish draft resolution (A/L.142) was rejected by 10 votes to 9, with 25 abstentions; and the Polish draft resolution, as amended, was rejected by 30 votes to 9, with 10 abstentions.

The resolutions adopted by the General Assembly (620 A-G (VII)) read:

"The General Assembly.

"Considering that, notwithstanding the efforts that have been made for some years, it has not as yet been possible to solve the important problem of the admission of new Members to the United Nations,

"Recalling that various States Members of the United Nations have made specific proposals or put forward suggestions with a view to reaching a satisfactory solution of the problem of admission,

"Recalling that on two occasions the International Court of Justice, at the request of the General Assembly, has given advisory opinions on the above-mentioned problem,

"Recalling its resolutions 113 A (II) of 17 November 1947, 197 B (III) of 8 December 1948, 296 K (IV) of 22 November 1949, 495 (V) of 4 December 1950 and 506 A (VI) of 1 February 1952,

"Bearing in mind that the applications for admission of a large number of States are still pending,

"Resolves:

"1. To establish a Special Committee composed of a representative of each of the following Member States: Argentina, Belgium, Canada, China, Colombia, Cuba, Egypt, El Salvador, France, Greece, Lebanon, Nether-

lands, New Zealand, Norway, Peru, Philippines, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America;

"2. To instruct the 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 have been made in the General Assembly and its Committees or which may be submitted to the Special Committee by any Members of the United Nations, such study to be conducted in the light of the relevant provisions of the Charter of the United Nations, the discussions in the General Assembly and its Committees, the debates 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;

"3. To request the Special Committee to submit a report on its work and its conclusions to the General Assembly at its eighth session and to transmit that report to the Secretary-General in time for distribution to Member States at least two months before the opening of the eighth session;

"4. To request the Secretary-General to place at the disposal of the Special Committee the staff and the facilities it requires for its work;

"5. To include the item "Admission of new Members" in the provisional agenda of the eighth session of the General Assembly."

B

"The General Assembly,

"Noting that, on 18 September 1952, ten members of the Security Council supported a draft resolution recommending the admission of Japan to the United Nations, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Japan is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Japan."

"The General Assembly,

"Noting that, on 19 September 1952, ten members of the Security Council supported a draft resolution recommending the admission of Vietnam to the United Nations, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Vietnam is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Vietnam."

D

"The General Assembly,

"Noting that, on 19 September 1952, ten members of the Security Council supported a draft resolution recommending the admission of Cambodia to the United Nations, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Cambodia is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Cambodia,"

"The General Assembly,

"Noting that, on 19 September 1952, ten members of the Security Council supported a draft resolution recommending the admission of Laos to the United Nations, but that no recommendation was made to the General Assembly because of the opposition of one permanent member,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Laos is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter and should therefore be admitted to membership in the United Nations;

and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Laos."

"The General Assembly,

"Considering that the application of Libya for admission to the United Nations is still pending before the Security Council,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Libya is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Libya."

"The General Assembly,

"Considering that the application of Jordan for admission to the United Nations is still pending before the Security Council,

"Deeming it important to the development of the United Nations that all applicant States which possess the qualifications for membership set forth in Article 4 of the Charter should be admitted,

"1. Determines that Jordan is, in its judgment, a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations;

"2. Requests the Security Council to take note of this determination by the General Assembly with respect to the application of Jordan."

R. OTHER MATTERS PLACED ON THE AGENDA OF THE SEVENTH SESSION OF THE GENERAL ASSEMBLY BUT NOT CONSIDERED DURING 1952¹⁰²

1. Measures to Avert the "Threat of a New World War and Measures to Strengthen Peace and Friendship among the Nations

In a letter dated 18 October 1952 (A/2229), the representative of Poland requested the inclusion in the agenda of the seventh session of the General Assembly of an item entitled: "Measures to avert the threat of a new world war and meas-

ures to strengthen peace and friendship among the nations."

At its 386th plenary meeting on 21 October 1952, the General Assembly decided to include the item in the agenda of its seventh session and to refer it to the First Committee. Consideration of the item was postponed to the second part of the seventh session.

¹⁰² These items were discussed at the second part of the seventh session in 1953. They will therefore be dealt with in the 1953 Yearbook, when a summary of the explanatory memoranda will be given.

2. 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 seventh session of the General Assembly: "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".

At its 380th plenary meeting on 16 October 1952, the General Assembly decided to include this question in the agenda of its seventh session. At its 382nd meeting on 17th October, the Assembly referred the item to the First Committee for consideration and report. Consideration of the item was deferred to the second part of the seventh session.

3. Greek Complaint Concerning Failure to Repatriate Members of Its Armed Forces

By letter dated 23 September 1952 (A/2204), the representative of Greece requested the inclusion of the following item in the provisional agenda of the seventh session of the General Assembly: 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 1950,¹⁰³ recommending 'the repatriation of all those among them who express the wish to be repatriated'."

At its 380th meeting on 16 October 1952, the General Assembly decided to include the question in the agenda of the seventh session and subsequently referred it to the Ad Hoc Political Committee for consideration and report. The item was not discussed during the first part of the seventh session, and at its 406th meeting on 18 December, the General Assembly decided to re-allocate the item to the First Committee, and to consider it at the second part of the session.

S. MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED

1. Report on the British-United States Zone of the Free Territory of Trieste

By letter dated 30 September 1952 (S/2794), the representatives of the United Kingdom and the United States transmitted to the Security Council the eleventh report on the administration of the British-United States Zone of the Free Territory of Trieste.

The report described steady progress and continuing economic recovery of the Zone. In the industrial field especially good progress was reported in the ship-building industry, where activities were largely concerned with the 96,000-ton ERP construction programme initiated in 1948. Traffic through the port of Trieste was in excess of the record levels of 1950. As part of a programme aiming at increased productivity, extensive improvements were effected at the Aquila refinery, the ILVA steel mill and the jute mill. By the end of the year, sixteen factories were completed or were under construction in the Zaule area as compared to only one factory in 1950.

Unemployment in the Zone showed a slight decrease, the average monthly total of unemployed

being 19.1 thousand, approximately one thousand less than in 1950.

European Recovery Programme aid utilized during the year amounted to nearly \$10 million, making a total of \$37.5 million since the inception of the programme. During the year 1,029 houses or apartments were completed. The report stated that in pursuance of the agreement of 1948, fiscal legislation in the Zone closely followed that of Italy, and in 1951, as in previous years, the Italian Government met the deficit in the Zone's budget.

2. USSR Note to the United Kingdom and the United States concerning Trieste

By letter dated 3 July 1952 (S/2692) the delegation of the USSR requested that the text of the USSR note of 24 June 1952 to the Governments of the United Kingdom and the United States be circulated to Member States.

The note referred to a Memorandum of Understanding between the latter two Governments and

¹⁰³ For text of this resolution, see Y.U.N., 1950, p. 381.

Italy, published on 10 May 1952, according to which Italy was to be given a share in the administration of Zone A of the Free Territory of Trieste. The Soviet note protested against a provision in that agreement by which the United Kingdom and the United States troops would retain all powers of Government in the Zone. The agreement, it was said, was aimed at violating further the provisions of the Italian Peace Treaty relating to Trieste and was an attempt to perpetuate the military occupation of the zone for strategic purposes.

The note also referred to an earlier USSR communication of 17 November 1951 to the Governments of France, the United Kingdom and the United States stressing the necessity of fulfilling their obligations under the Italian Peace Treaty specially as regards the withdrawal of foreign troops, the liquidation of "Anglo-American" bases and the appointment of a Governor. In that note, the USSR had objected against reported plans of partitioning the Free Territory of Trieste between Italy and Yugoslavia, stating that the partition was intended to further the military plans of the "aggressive Atlantic bloc".

3. Communication Received from the Organization of American States

By letter dated 17 January 1952 (S/2494), addressed to the Secretary-General, the acting Chairman of the Inter-American Peace Committee brought to the knowledge of the Security Council the records of the Committee's special session, held on 25 December 1951. The records included the text of a declaration, signed by the Governments of the Republic of Cuba and the Dominican Republic, which indicated that the differences between the two Governments had been satisfactorily and amicably settled. (The differences related to the arrest and sentencing by the Dominican Republic authorities of five Cuban members of the crew of a Guatemalan vessel proceeding from a port in Cuba to one in Guatemala.)

The Council also received several other communications from the Cuban and Dominican Republic relating to the action of the Committee in the above matter, (S/2460, S/2480, S/2495, S/2511).

III. Economic and Social Questions

A. WORLD ECONOMIC SITUATION

At its fourteenth session, held at New York from 20 May to 1 August 1952, 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 Fourteenth Session¹

The Council's discussion was based primarily on the Secretary-General's report on world economic conditions entitled *World Economic Report, 1950-51* (E/2193/Rev.1 and Corr.1), supplemented by a detailed analysis entitled *Recent Changes in Production* (E/2193/Add.1/Corr.1).

The introduction to the main report stated that during 1951—the first full year of widespread rearmament activity—the world produced more goods than in any previous year. As the general increase in production between 1950 and 1951 was higher than the increase in the production of military goods alone, a rise was made possible in the total supply of civilian goods for the world as a whole. In the countries with developed private enterprise economies in North America and Western Europe, production increased considerably from mid-1950 to mid-1951. However, owing to a slackening of consumer demand, the output of consumer goods declined in the second half of 1951 and early in 1952. Although sharp increases in raw material prices caused a general upsurge of prices in all these countries, money wages tended to keep pace with the cost of living. In the countries with centrally-planned economies in eastern Europe and mainland China, output and consumption generally increased in 1950 and 1951, though consumption rose less than production. In a number of those countries the rapid pace of industrialization, combined with relatively poor harvests, caused pressure on the supplies of food; in others, however, the rise in the supply of consumer goods made it possible for consumer prices to be reduced. There was

also an increase in production in many of the under-developed countries, but it was generally smaller than the world average increase. At the same time the exports of under-developed countries increased both in volume and price owing to growing demands from industrialized countries, especially from mid-1950 to mid-1951.

Dealing with international trade and payments, the report said that in 1951 the earlier tendency towards reduced deficits with the dollar area was reversed and considerable strain developed during the latter part of 1951 in the balance of payments position of Western Europe. While most of the Western European countries improved their overall balance of payments position in the course of 1951, difficulties encountered by a few of them led at the end of 1951 and during the early part of 1952 to the tightening of import restrictions.

According to the report, the trade of almost all the centrally-planned economies was increasingly affected in 1951 by the growing deterioration of their trade relations with a large part of the rest of the world. As output rose in these countries, however, the volume of their trade with one another increased.

There were renewed indications in 1951 of the exceptional instability to which the balance of payments of primary producing countries are subject. These countries, it was stated, achieved very large increases in their earnings from exports of raw materials at record high prices in the first nine months following the outbreak of hostilities in Korea. Subsequently they sustained a marked reduction in earnings as the raw material boom subsided.

The report further stated that imports of both capital and consumer goods by under-developed countries were larger in 1951 than in 1950 despite difficulties of supplies and the lengthening of delivery periods. In the latter part of 1951, however, foreign exchange receipts declined because of a slackening of foreign demand; as a result

¹ The annual report of the International Monetary Fund was also discussed under this agenda item. For its consideration see section 3, below.

a number of countries had to reimpose restrictions on imports because of difficulties in the balance of payments.

The report concluded that experience during the period under review had lent new emphasis to the need for international action designed to bring about an adequate flow of capital to under-developed countries, to elaborate new techniques for stabilizing the demand for and prices of primary commodities traded internationally, or to introduce other arrangements that would, under mutually acceptable conditions, permit the industrialized countries to increase the supply of machinery and equipment to the under-developed countries, so as to enable them to make more effective use of their abundant natural resources as well as to meet the demands of their trading partners.

The Council also had before it two additional supplements to the report: (1) a Summary of Recent Economic Developments in Africa (E/2193/Add.2/Corr.1), prepared in accordance with the request of the Council in resolution 367 B (XIII); and (2) a Summary of Recent Economic Developments in the Middle East (E/2193/Add.3/Corr. 1), prepared by the Secretariat in accordance with the views expressed during the thirteenth session of the Council.

The Summary of Recent Economic Developments in Africa contained a brief account of changes in 1949 and 1950 in the exchange sector of the economy, including commercialized agricultural production, mineral production and foreign trade. Reviewing the progress of public investment in the Belgian Congo, French territories, United Kingdom territories and Portuguese territories in Africa, the Summary stated that investment in 1950 was at a higher rate than in previous years, both in the area as a whole and in most of the individual territories. It then described measures taken under the technical assistance and related programmes of the United Nations in Libya, Ethiopia, Liberia and the Trust Territory of Somaliland under Italian administration. It also dealt with the co-ordination of inter-governmental action and the work of the specialized agencies in Africa.

The Summary of Recent Economic Changes in the Middle East traced the main economic developments in that region as a whole with special emphasis on its petroleum production and foreign trade. Important developments of the past two or three years in several selected countries like Egypt, Iran, Iraq, Israel, Lebanon, Syria and Turkey were described in brief sections.

The Summary stated that terms of trade had tended to improve in the region as a whole, but to a varying and, often, a small degree. The improvement in terms of trade, together with the expansion of trade with Germany and the USSR, it was stated, had contributed to a reduction of the foreign trade deficit in most of the countries of the region. The deficit in trade with hard currency areas also declined and even disappeared in a few cases.

The report stated that agriculture was developing, but at a slow rate, in most parts of the Middle East. The over-all programme of industry was greater than that of agriculture in almost all countries of the region. Prices took an upward trend in 1950 and 1951, especially in countries more closely dependent on foreign trade, such as Egypt and Lebanon.

In addition to the surveys dealing with the world economic situation, in general, and Africa and the Middle East, in particular, the Council also had before it the Economic Survey of Europe in 1951 (E/ECE/140/Rev.1) prepared by the secretariat of the Economic Commission for Europe. It also had before it the annual reports of the regional economic commissions for Europe, for Asia and the Far East and for Latin America.²

The Council also had before it the Review of International Commodity Problems, 1951 (E/2181), prepared by the Interim Co-ordinating Committee for International Commodity Arrangements.

The Review traced developments in the commodity field since the end of the Second World War, drawing attention to the rapid changes that occurred in the situation of various primary commodities and dealing in particular with the effects of the current period of rearmament.

The Review stated that during 1951 the prices of many important primary commodities fluctuated with unusual rapidity. In the case of countries a large part of whose trade was in a particular commodity, the adverse effect of these fluctuations was considerable. The current period of rearmament, it was stated, could be expected to accentuate the natural tendency for primary commodities to fluctuate widely. The discovery of ways and means to moderate such fluctuations continued, in the opinion of the Committee, to be a pressing need. It considered it desirable that active consideration should be given to arrangements for avoiding difficulties in the case of particular commodities.

The Review also dealt with the principles and procedures for dealing with commodity problems, described inter-governmental action and consultation on particular commodities from 1946 to 1951 and summarized information regarding international trade in primary commodities.

2. Discussions in the Economic and Social Council

The Economic and Social Council discussed the world economic situation specifically³ at its 584th and 587th plenary meetings on 29 May and 2 June, and at its 589th to 601st plenary meetings from 3 to 12 June 1952.

² See under Regional Economic Commissions.

³ For the Council's discussion under this item of the reports of regional economic commissions and of the International Monetary Fund, see under respective headings.

The representatives of Belgium, Canada, France, the United Kingdom and the United States emphasized the need for co-ordinated international action to combat the economic instability the world was facing today. The representative of Canada stated that economic stability and an expanding world economy could only be achieved if governments took steps to ensure stability of the economies of their own countries and recognized the relationship of domestic policy to external stability. These representatives generally agreed that a significant effort had been made to keep inflation in check and that adjustments of national economies to the heavy burden of defence were being carried out with far fewer adverse effects than had generally been expected. The supply of goods available for civilian use had been increased.

The representatives of France and the United Kingdom, however, called attention to inflationary pressures existing in many countries where increasing rearmament activities had been accompanied by a diversion of goods and services from the civilian economy. At the same time it was pointed out that deflationary pressures also existed in important sectors of national economies where demand had slackened. Attention was called to the fact that unemployment had begun to spread in certain industries producing textiles and other consumer goods. The maintenance of a stable level of employment was, therefore, emphasized as one of the major tasks of governments.

The representatives of Belgium, Canada, France and Sweden, among others, referred to the need to remedy the recurring disequilibrium between the dollar area and other areas of the world. Among the remedies suggested were: the control of inflation; increased production in industrialized European economies and under-developed economies alike; and an increase in the exports of countries with balance-of-payments difficulties.

The stability of raw material prices as a means of preventing economic upsets in both primary producing and industrialized countries was urged by several representatives, including those of Belgium, France and the United Kingdom. The representative of the United Kingdom felt that a fundamental method for stabilizing raw material prices would be to stabilize the conditions of demand and supply in particular commodities by agreements. He drew the attention of the Council to the International Materials Conference which had shown the usefulness of international action in mitigating fluctuations in commodity markets.

Reviewing the situation in his country, the representative of the United States said that the past fifteen months had been characterized by a sustained high level of economic activity, a subsiding of the severe inflationary pressures which had followed the outbreak of the war in Korea, and considerable stability in the price level. Unemployment had been small, varying seasonally by under two million, or less than 3 per cent of the labour force.

As for the future, he said that production of goods and services should continue to expand in the United States, thus increasing imports which would, in turn, increase the dollar earnings of other countries. He assured the Council that trade liberalization continued to be a major objective in United States foreign economic policy.

Representatives also stressed the urgent need for increasing world food supplies.⁴ The representatives of Belgium, France, the United Kingdom and the United States also emphasized the need for the economic development of the under-developed countries. The representative of the United States said that every major under-developed area of the free world had received more capital goods from the United States in 1951 than in 1950. Prices of these goods, he stated, had been stabilized. Grants and loans had been augmented by \$170 million in 1950 to \$690 million in 1951, so that the under-developed countries could import more than their current earnings allowed.

The representatives of Cuba, Egypt, Iran, Mexico, Pakistan, the Philippines and Uruguay, among others, dwelt on the impact of world trade on the under-developed countries. They stressed the close relationship between economic stability in the industrialized countries and the economic development of the under-developed countries. They expressed the opinion that economic developments of 1951 had not been favourable to the under-developed countries; their large export earnings had declined and any progress in their development plans had been largely cancelled out by inflationary tendencies and by payments for invisible items of trade.

Representatives of the under-developed countries maintained that the gap between the production of the industrialized countries and of the under-developed countries had widened, as production in the developed countries had increased faster than in the less developed countries. The increased earnings of the under-developed countries, resulting from the high prices of raw

⁴ See under Food and Famine.

materials, had caused inflationary pressures which were further aggravated by an increase in the prices of imported food and consumer goods. Not all under-developed countries had benefited from the boom in the primary products, it was considered, and, subsequently, demand had slackened and export earnings had dwindled. The situation in some under-developed countries, faced with declining foreign exchange reserves and with inflation, was as unfavourable as it had been before the outbreak of hostilities in Korea. This showed the instability to which the balance of payments of primary producing countries was subject. These representatives also emphasized the need to combat inflation, to increase production and to secure a reduction in the cost of living. They made a plea for a global programme of economic development with international action to increase technical and financial assistance to their countries. The outstanding problem in this respect, they maintained, was that of obtaining the capital required to finance economic development. An increase in the proportion of world savings invested in the economic development of under-developed countries and the building up of expanding international trade were essential for more rapid progress in carrying out development plans, they considered. The representative of the Philippines stated that the current system of world trade enabled the industrialized countries to determine the prices of both the goods they sold to the under-developed countries and the goods they bought from them. He considered that such a situation was anomalous in a rational world economy.

The representatives of Czechoslovakia, Poland and the USSR expressed the view that intensive rearmament activity in the United States and Western Europe had led to a decline in civilian goods production, to increased taxation which had mainly affected the working masses of these countries, to increases in consumer goods prices and even more intensive exploitation of workers. At the same time it had led to increased profits for the monopolies, they said. These representatives considered that armament programmes were preventing the economic development of the under-developed countries, causing instability in many of the capitalist countries themselves, and creating a raw material monopoly exclusively in favour of the United States. They emphasized the need for genuine international economic co-operation, and the general development of trade relations, based on the recognition of mutual interest, sovereign rights and the equality of all countries. According to these representatives, one of the indispensable conditions for improvement in the economic

situation of Western European countries was the maintenance of normal economic relations with Eastern European countries.

Contrasting the economic situation in the United States and Western Europe with that prevailing in their own countries and mainland China, these representatives stated that production in the USSR and the Eastern European countries had increased in excess of the targets set for 1951. The same trend, they said, was apparent in 1952. As a result of agrarian reform, China had become almost self-sufficient in cotton and cereals. Now it was importing the goods mainly needed for its industrial development.

The representative of the International Confederation of Free Trade Unions (ICFTU) stated that the improvement of sanitary and health conditions in under-developed countries should be accompanied by modern methods of agricultural development and stressed the need for careful planning by the under-developed countries in connexion with the financing of their development. She also reported on the activities of ICFTU delegations which had visited a number of African territories and she urged the establishment of an economic commission for Africa.

The representative of the World Federation of Trade Unions stated that rearmament activities in the United States and Western Europe had led to reduced consumption, sharp cuts in productive budget expenditure to allow for non-productive expenditure on armaments, and a serious decline in the living standards of workers. She expressed the hope that the Economic and Social Council would call upon all countries to restore free international trade and to replace the disastrous economies of war by economic programmes designed to safeguard and improve the people's living standards. On behalf of WFTU she offered several specific proposals to that end.

At the conclusion of the general debate the Council agreed to take no formal action with respect to the agenda item entitled "World Economic Situation". It was felt that the deliberations on this item, however, formed the indispensable background for the consideration of other major economic items.

3. Discussions in the General Assembly

References to the world economic situation were also made during the discussion of Chapter II of the report (A/2172) of the Economic and Social Council at the 241st to 246th meetings

of the Assembly's Second Committee held from 15 to 20 December 1952.⁵

The representatives of Czechoslovakia, Poland and the USSR stated that the subordination of the western European economies to United States war preparations were the main cause of the economic crisis in those countries. United States economic policies, they said, had led to a fall in industrial production, particularly of articles of mass consumption and had seriously affected the trade of these countries.

Contrasting the economic situation of the capitalist countries with that prevailing in the USSR, the People's Republic of China and the people's democracies, these representatives held that the latter had embarked on a programme of peaceful reconstruction and that their economic condition was constantly improving.

In reply, the representatives of France, the Netherlands, Norway and the United Kingdom maintained that the representatives who had criticized the economies of Western European countries had made an incorrect and misleading assessment of Western European economies. In certain Western European countries living standards were improving and in Western Europe generally the fall in the production of consumer goods had been largely offset by the substantial expansion in the output of heavy metal goods which many countries needed for their development.

The representative of the United States said that his country was not living off other countries as had been suggested and that 97 per cent of its market was domestic. It had, on the contrary, helped other countries with \$35,000 million since the end of the Second World War. As to the economic situation in the United States, he said that its production had increased from \$325,000 million in the first half of 1951 to \$336,000 million in the first half of 1952 and that employment had been at a record high level. The standard of living of United States workers had gone up instead of declining.

4. Report of the International Monetary Fund

The Economic and Social Council at its fourteenth session, at its 584th plenary meeting on 29 May 1952, considered the Annual Report of the International Monetary Fund for the fiscal year ending 30 April 1951, together with a supplement covering the period from May 1951 to 31 March 1952 (E/2169/Add.1).

Introducing the report, the Managing Director of the Fund expressed the hope that recent

decisions taken by the Fund establishing certain new policies would enable the Fund to be of greater help to its members in meeting temporary exchange needs. Among such changes he noted the clarification of the conditions under which the Fund's resources would be available to its members as a second line of reserves to meet temporary exchange difficulties and the revision of the schedule of interest charges for use of Fund resources. As required by its Articles of Agreement, general consultations with many of the Fund's members had been initiated with a view to the reduction or abolition of certain types of exchange restriction and discrimination with the object of achieving wider convertibility of currencies.

In reviewing the international payments situation in the recent past, the Managing Director stated that during the period when United States imports had shown marked increase in 1950-51, many countries had acted as if the payments problem had vanished. But when the abnormal speculative demand had fallen off, the continuing weakness in the pattern of payments had been revealed and payments difficulties, which had not been confined to dollar payments, had again acquired an urgent character and they had been accentuated by the scanty reserves. The Managing Director deplored the tendency to believe that restrictions on imports and discrimination in trade provided a solution to payments difficulties. He pointed out that a great deal had already been done to meet the post-war payments problems and expressed the belief that the chief remaining task was to eliminate the current inflation, particularly by means of budgetary and credit policies, which, he noted, had recently been given renewed emphasis. The budgetary needs of many governments were increasing with rearmament. Assistance from the United States for defence and economic aid would meet this problem in part, but much more would have to be done by aided countries themselves to provide resources for defence. Measures to avoid inflation need not necessarily cause widespread unemployment, but if countries slackened their effort to eliminate inflation as soon as pockets of unemployment appeared in one or another industry, the payments problem might become permanent. Private capital, he felt, would probably flow more readily to the under-developed countries if they sought to avoid inflation, maintain a strong payments position and permit the prompt and unrestricted remittance of current earnings.

⁵ The problems of under-developed countries were discussed under a separate agenda item, see pp. 353 ff.

Discussing the prevailing difficulties of international payments the representative of the United Kingdom drew attention to the serious pressure on the balance of payments of his country, stating that his Government regarded the restrictions which it had imposed as a disagreeable necessity. The chances of attaining balance-of-payments equilibrium were remote unless the countries with persistent balance-of-payments surpluses played their part in correcting the current disequilibrium. It was vitally important, he considered, that the policies of those countries should be such as to

encourage consumption of imported goods in their territories.

The representative of Czechoslovakia stated that the Fund had failed to implement its aims and had become an instrument of United States policy.

The new policy regarding the use of the Fund's resources was welcomed by other representatives.

After the conclusion of the debate, the Council unanimously adopted resolution 421 (XIV) taking note of the report of the Fund.

B. ECONOMIC DEVELOPMENT OF UNDER-DEVELOPED AREAS

1. Technical Assistance for Economic Development

On 31 July 1950 the Secretary-General set up the Technical Assistance Administration (TAA) to provide for the efficient operation of the United Nations technical assistance programme and for its co-ordination with similar programmes of Member Governments and with those of the specialized agencies. TAA was made 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).⁶ 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 resolution 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 Expanded Programme was established as a joint activity of the United Nations and the specialized agencies. The organizations participating in this Programme are 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); the World Meteorological Organization (WMO); and the International Telecommunication Union (ITU). The International Bank for Reconstruction and Development and the International Monetary Fund, though they do not participate in the Expanded Programme and are not titular members of the Technical Assistance Board (TAB), are represented at the Board's meetings and co-operate fully with the promotion of the objectives of the Programme. The Technical Assistance Board (TAB) is an executive body composed of representatives of each of the organizations participating in the Expanded Programme. Its functions are to co-ordinate, integrate and review the activities carried out by these organizations under this Programme. A full-time Executive Chairman was appointed in 1952; prior to this, the Secretary-General of the United Nations, or his representative, acted as Chairman.

The Technical Assistance Committee (TAC), a standing committee of the Council consisting of all members of the Council, makes a critical examination of activities undertaken and results achieved under the Programme and reports to the Council concerning the reports it receives from the Technical Assistance Board.

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

(1) Expanded Programme of Technical Assistance (a) FOURTH REPORT OF TAC

The Council, at its fourteenth session, had before it the fourth report of TAC (E/2238),

⁶ See previous Yearbooks.

submitted after the Committee had reviewed the administration of the Expanded Programme at its 21st to 23rd meetings on 22 and 23 May 1952. The Council considered this report at its 599th and 600th plenary meetings on 11 June 1952.

In the report, TAC noted that the Administrative Committee on Co-ordination in its report (E/2161 and Corr.1)⁷ had indicated the need for "stronger central leadership and more continuous central guidance" to ensure the development of well-integrated and balanced programmes which would most effectively help to solve the economic and social problems of under-developed countries and make the most efficient use of the resources available for the Expanded Programme. TAC also felt that, in view of new developments since 1949, certain changes in the administration of the Programme were appropriate. It therefore proposed that paragraph 3 of resolution 222 A (IX), concerning the establishment and organization of the Technical Assistance Board,⁸ be amended in order to provide that a full-time Executive Chairman of the Board be appointed by the Secretary-General after consultation with the executive heads of the participating organizations. It made proposals for the general functions of the Chairman (see resolution, as adopted, below).

TAC also suggested an amended voting procedure for the Board according to which decisions would be made by agreement between the Executive Chairman and members of the Board or, if agreement were not reached, by reference to TAC.

TAC was of the opinion that, in the interests of greater co-ordination, resident representatives appointed by the Board in recipient countries should be directly responsible to TAB and to its Chairman. Their principal function, TAC agreed, was to co-operate with the governments concerned in the development of plans and projects and to co-ordinate the technical assistance activities of the participating agencies in a given country. Where necessary, these representatives might service more than one country.

In the debate, in which the Council generally agreed with the recommendations of TAC, the Secretary-General announced that, after consultation with the executive heads of the participating agencies, he had designated David Owen, Assistant Secretary-General in charge of the Department of Economic Affairs, as Executive Chairman of TAB. Representatives to the Council commented favourably on the designation of Mr. Owen, whose competence and integrity in discharging his duties were heartily commended.

The representative of Czechoslovakia stated that he would abstain from voting on the draft resolution proposed by TAC. Although in favour of technical assistance, he said, his delegation had always opposed and was still opposed to any method of granting such assistance which involved the execution by certain countries of prepared economic and political plans and designs, which had nothing to do with genuine technical assistance and were solely directed towards economic aggression and expansion, to the disadvantage of the economically under-developed countries. He did not consider that the appointment of an Executive Chairman of TAB or the adoption of a complicated voting procedure for the Board would facilitate the implementation of technical assistance programmes.

With regard to the proposal on voting procedure, some representatives, among them those of Mexico, the Philippines and Uruguay, felt that the powers delegated to the Executive Chairman were tantamount to veto powers. However, the Council noted the assurance contained in the TAC report that such recourse to a vote would be the exception rather than the rule, since the decisions of the Board would normally be made on the basis of general agreements.

The Council adopted by 8 votes to 3, with 7 abstentions, an amendment by Cuba (E/L.352) which would give the Council the right to alter the powers of the Chairman when it saw fit. The Council adopted the draft resolution proposed by TAC, as amended, as resolution 433 A (XIV). By this resolution the Council decided to amend its resolution 222 (IX) as follows:

Paragraph 3

In place of the sentence reading: "The Secretary-General or his representative shall be Chairman of the Board", substitute the following:

"The Secretary-General, after consultation with the executive heads of the participating organizations, shall appoint a full-time Executive Chairman of the Board who shall have such responsibilities and functions within the purposes of this resolution, as the Economic and Social Council may assign to him, and which it may alter as it sees fit."

For sub-paragraph (h), which provided that all decisions, other than on procedural matters, be taken by general agreement and in the case of disagreement referred to TAC for decision, substitute the following:

"(h) Decisions relating to recommendations or proposals made by the Executive Chairman or by members of the Board will normally be taken by general agreement between the Executive Chairman and all members of the Board. When general agreement cannot be reached recommendations or proposals shall be con-

⁷ See also pp. 537 ff.

⁸ See Y.U.N., 1948-49, p. 443.

sidered approved when a majority of the members of the Board present and voting and the Executive Chairman are in agreement. If no agreement can be reached, the matter may be referred to the Technical Assistance Committee either by a majority of the members of the Board present and voting or by the Executive Chairman."

Paragraph 4

Delete the entire paragraph concerning the terms of reference of the Executive Secretary as specified in resolution 222 A (IX) and renumber the subsequent paragraphs accordingly.

New paragraph 4

Substitute the following for former paragraph 5 which gave the Secretary-General the power to make the arrangements concerning staff:

"The secretariat of the Technical Assistance Board shall perform, under the supervision of the Executive Chairman, such functions as the efficient operation of the Board may require. Whenever the need arises, the Executive Chairman shall make arrangements whereby the executive heads of the participating organizations may assign members of their staffs to the secretariat of the Technical Assistance Board."

Finally the Council approved the terms of reference of the Executive Chairman which were set forth in the resolution of the Technical Assistance Committee as follows:

"(a) To examine programme proposals submitted by participating organizations, which may include both formal requests submitted by governments and projects which are in preliminary stages of discussion, with a view to facilitating, in agreement with the Governments, the development of integrated country programmes, consulting with agencies as appropriate;

"(b) To make such recommendations to the Technical Assistance Board as he may deem appropriate with respect to all programme proposals or projects, including earmarking or allocation of funds;

"(c) After approval of programme proposals or projects by the Board, to earmark the necessary funds, and as project plans become final, to allocate funds without further reference to the Board;

"(d) In exercising continuous supervision of the programme, to appraise the effectiveness of the activities of the participating organizations financed from the Special Account, and the results achieved, bearing in mind the desirability of keeping the proportion of administrative to operational expenditures as small as possible consistent with efficiency, and to make recommendations to the Board, availing himself to the fullest extent possible of the services of the representatives of the participating organizations;

"(e) To review the adequacy of the co-ordination and integration of activities financed from the Special Account, keeping himself fully informed of activities financed by the agencies from their own budgets and of all other technical assistance programmes both bilateral and multilateral, and to make appropriate recommendations to the Board;

"(f) To convene and preside over the meetings of the Board;

"(g) In the intervals between meetings, to act on behalf of the Board, under conditions laid by the Board; normally to consult its members before taking action on

all matters of major importance, and to report to it on the actions taken on its behalf;

"(h) Under conditions agreed by the Board, to sign or authorize signature of basic and comprehensive country agreements with governments;

"(i) In agreement with the Board, to appoint resident technical assistance representatives and to determine their terms of reference; to supervise the activities of such representatives and to establish an effective system of reporting between himself and such representatives;

"(j) To establish, after consultation with the Board, administrative rules and procedures on such matters as reporting, objects of expenditures definitions, salary and per diem rates, etc.;

"(k) To report on behalf of the Board to the TAC on the operation of the programme and proposed future programmes;

"(l) To supervise the Secretariat of the Board."

(b) FIFTH REPORT OF TAC

The Council also had before it the fifth report of TAC (E/2304) prepared by the Committee following its review, at its 24th to 28th meetings from 16 to 18 July 1952, of the fourth report of TAB (E/2213, volumes I and II). In this report TAB had given an extensive description of the Programme and of selected projects, an account of the financial aspects of the Programme, proposals for 1953, and descriptive summaries, by country, of technical assistance provided during the first financial period of the Programme. The TAC review had been prepared in the light of the recommendations of the Working Party (E/TAC/L.21) established at the 23rd meeting of TAC on 23 May. The meetings of the Working Party had been attended by the representatives of all the participating organizations. The Council considered the fifth report of TAC at its 653rd and 654th plenary meetings on 22 July 1952, together with the report of the Secretary-General (E/2209) on the United Nations programme of technical assistance.⁹

In its report, the Committee suggested that more attention should be given by governments in formulating their requests, and by the participating organizations in drawing up their post-descriptions, to specifying clearly the qualifications of the experts needed. Governments, it recommended, should give more consideration in their requests to lesser-known experts who might be just as well equipped to cope with the practical problems involved as internationally known technicians, and who would be more readily available on a short-term basis. Participating organizations should, wherever appropriate, engage experts on long-term contracts. The Committee also stressed

⁹ See pp. 357-58.

the need for adequate briefing of experts by TAB and by the participating organizations.

TAC agreed that, where a variety of expertise was required within a limited period, the use of consultant firms would be permissible. However, it indicated that their use should not entail a substantially higher expense than if comparable services were secured by hiring individual experts and purchasing the necessary equipment. No preferential position should be given to particular manufacturing, sales or contracting concerns. The requesting government, the Committee held, must approve the use of this type of expertise, and a wide geographical distribution of the firms so used should be sought.

The Committee noted with satisfaction that the various schemes for training local personnel had included provision that those trained were usefully employed afterwards for the benefit of their country. It expressed the hope that in the future fellowship arrangements made by the different participating organizations would be more uniform and that training facilities would be developed within the recipient countries themselves. Reference was made to "observation tours", a less costly group-fellowship arrangement under which technicians from recipient countries would visit a number of developed countries to observe how problems in their fields could be solved.

The Committee noted the policy followed by the Board under which the participating organizations determine the amount of equipment to be provided for each project. It recommended that illustrative information on projects in which equipment cost surpassed 25 per cent of the total cost be included in future TAB reports. Since delayed delivery of equipment had sometimes proved to be a major obstacle in the operation of important projects, TAC suggested that governments of equipment-supplying countries should take steps to improve the situation, provided specific cases were brought to their attention.

The Committee urged that, where non-convertible currencies contributed to the Special Account could not be used to pay for the technical assistance or equipment, it should be possible for the organizations to exchange currencies available through the Special Account for other currencies available to these organizations under their regular programmes. TAC again stressed the desirability of contributions to the Special Account being made, at least in part, in convertible currency.

The TAB report had pointed out the difficulties arising from the interpretation and application

of the principle that requesting governments should make a substantial contribution to the cost of technical assistance in local currency or in kind. TAC considered the matter in detail and decided that the Executive Chairman of TAB should ensure that governments complied with this principle and that, as far as possible, uniform arrangements were made for projects which were similar in nature. It decided, however, that requesting governments need not provide the cost of lodging or travel per diem for experts on projects where they were providing extensive staff and other facilities, and that they should not necessarily be required to bear external travel costs of fellows and scholars. TAB, the Committee also determined, might exempt requesting governments from furnishing local transportation under certain conditions. Requesting governments were urged to make maximum contributions. TAC decided, in view of the difficulties created by the current method of assessing local costs, to explore alternative methods of assessing such costs.

On the basis of the fourth report and of additional information submitted by TAB and the participating organizations regarding past, current and future activities, the Working Party and TAC proceeded with an agency-by-agency review of the 1953 programme. TAC felt that requesting governments and participating organizations should further concentrate and integrate their efforts in fewer fields where experience had demonstrated that maximum results were obtainable and in projects presenting prospects of follow-up action by governments.

Where comprehensive missions involving several participating organizations were requested, TAC agreed that the Executive Chairman of TAB, in consultation with the Board, would determine the organization to which the leadership would be given. When requests involved two or more organizations, the organizations concerned could determine their respective responsibilities on a "practical non-jurisdictional basis".

In the light of the latest TAB estimates, which indicated that agreements already negotiated for future activities had committed all pledged funds for the first and second financial periods, TAC recommended a 1953 goal of \$25 million in contributions and made recommendations concerning the allocation of contributions received for the third financial period. These recommendations were subsequently embodied in the resolution adopted by the Council (see below).

TAC also decided that for 1953 funds should again be made available for ITU and WMO by

the United Nations out of its share of the Special Account.

During the brief debate, the majority of representatives expressed appreciation of the reports and of the work of the Technical Assistance Committee. The representative of Iran felt that more energetic attempts should be made to implement fully the Expanded Programme. The representative of Pakistan stated that he disagreed with the policy of not granting equipment and supplies unless a request was also made for technical assistance. He hoped that practical steps to remedy the situation would be taken in the coming year. The United States representative hoped that TAC would do its utmost to differentiate between activities under the Expanded Programme and under the ordinary assistance programmes. He and the representative of the United Kingdom urged that governments with contributions in arrears make every effort to fulfil their pledges. The Canadian representative expressed reservations concerning the figure of \$25 million proposed as a target for contributions in 1953 and said that he could make no commitment regarding the Canadian contribution. The representative of Mexico, in explaining his abstention following the vote, doubted whether the progress achieved and the work undertaken fully justified the expansion of the Programme.

The draft resolution, as proposed by TAC (E/2304), was adopted at the Council's 654th plenary meeting on 22 July by 13 votes to none, with 5 abstentions, as resolution 433 B (XIV). It read:

"The Economic and Social Council,

"Having considered the Report of the Technical Assistance Committee on the Expanded Programme of Technical Assistance, together with the Fourth Report of the Technical Assistance Board,

"Convinced that the progress achieved and the activities so far undertaken fully justify the continuation and expansion of the programme as a co-operative international effort of increasing significance to the peoples of the under-developed countries,

"1. Expresses to the participating organizations and to the hundreds of experts in the field its satisfaction at the work they are accomplishing;

"2. Urges governments to make contributions to the programme for the year 1953 towards a goal of \$25 million;

"3. Recommends that the General Assembly make appropriate arrangements at an early date for soliciting and receiving pledges from governments to this end;

"4. Invites the General Assembly at an early date during its seventh session to give approval to the following financial arrangements:

"Contributions received for the third financial period shall be allocated as follows:

"(i) Fifty per cent of total pledges for 1953, up to but not exceeding \$10 million, shall be automatically available for allocation to the participating organizations in accordance with paragraph 8 (c) of Council resolution 222 A (IX), as amended, out of the contributions received for the third financial period;

"(ii) The balance of contributions received shall be retained in the Special Account for further allocation, as provided in the resolution of the Technical Assistance Committee of 23 May 1951, approved by the Economic and Social Council on 11 June 1952, in resolution 433 A (XIV);

"5. Urges governments which have not paid their pledges for the first or second financial periods of the Expanded Programme, to make early payment to the Special Account."

(2) United Nations Programme of Technical Assistance¹⁰

The Council at its fourteenth session had before it a report (E/2209) by the Secretary-General describing the technical assistance furnished by the United Nations to governments during the period 1 January 1951 - 31 March 1952 under the Expanded Programme as well as under the three related programmes of economic development, public administration and advisory social welfare services. Regional activities, including those carried out in collaboration with the regional economic commissions, were included in the report. The technical assistance activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE) were also reported briefly.¹¹

The Secretary-General informed the Council that some progress had been made in solving a number of operational problems which had hitherto seriously slowed down the provision of technical assistance and hampered the effectiveness of the programme. Requests for assistance submitted by governments were now more clearly defined and more fully documented and an increasing number of governments had set up co-ordinating machinery designed to ensure the formulation of well-integrated requests. Although the difficulty of finding well-qualified candidates prepared to accept technical assistance assignments remained a serious problem, the rate of recruitment of experts had more than doubled during the past year. Progress in recruitment had been furthered to a considerable extent by the committees and executive offices set up by a number of governments to deal with the recruitment of experts and with other aspects of government participation in the technical assistance programme.

¹⁰ See also under Advisory Social Welfare Services.

¹¹ For technical assistance activities of the regional economic commissions and of UNRWAPRNE during 1952, see under those headings.

Representatives of the committees and bodies of this type set up by European governments had met in Paris, at the Secretary-General's invitation, to discuss with representatives of the secretariats of the United Nations and specialized agencies methods of improving the recruitment of experts and other matters affecting the technical assistance programme. A series of recommendations had been drawn up, which urged closer co-operation between the committees and the participating organizations, and which were subsequently transmitted to the Technical Assistance Board (TAB).

The Secretary-General also described in his report the steps taken to place the briefing of technical assistance experts on a systematic basis, and drew the Council's particular attention to the review of the first five years of the advisory social welfare services (E/CN.5/266) which represented the first attempt to evaluate the achievements and results of technical assistance in the social field.¹² In the field of public administration, the Secretary-General reported that the number of requests for assistance was growing, and that a small substantive unit had been organized within the Technical Assistance Administration (TAA) to deal with such requests and to assist him in carrying out his responsibilities under General Assembly resolution 246(III).

The report stated that, during the period covered by the report, 165 experts of 35 nationalities had advised the governments of over 30 countries and territories; and during 1951, 451 persons from 56 countries and territories had taken up United Nations fellowship and scholarship awards. Of these, 163 had been granted in the field of economic development, 190 in the field of social welfare and 98 in the field of public administration.

The Secretary-General also brought to the Council's attention a number of regional and other projects which had been organized during 1951, in many cases in co-operation with the specialized agencies and the secretariats of the regional economic commissions.¹³

The Council, at its 653rd and 654th plenary meetings on 22 July 1952 reviewed the Secretary-General's report in conjunction with the fifth report of the Technical Assistance Committee (E/2304).¹⁴ The majority of representatives expressed their general satisfaction with the progress recorded by the Secretary-General. The representative of the United Kingdom said that, since funds and staff were limited, care should be taken to concentrate on those technical assistance activities most likely to meet the essential needs of under-developed countries and to lead to fruitful

results for the development of those countries. While it was difficult, if not undesirable, to draw too sharp a line between economic and social activities, it would be a mistake to encourage the building up of expensive or ambitious social service schemes before the economic foundations that could support them had been soundly established. The representative of France stressed the value of the public administration training programme.

The Council had before it a joint draft resolution (E/L.434) by Belgium, Cuba, Egypt, France, Pakistan and the Philippines which it adopted unanimously, following the acceptance of a drafting amendment suggested by the Director of TAA. By this resolution (432 (XIV)), adopted at its 654th plenary meeting, the Council noted with appreciation the report of the Secretary-General on the regular United Nations programme of technical assistance.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The General Assembly considered the question of technical assistance for the economic development of under-developed countries during the Second Committee's general debate on economic development at its 195th to 209th meetings from 23 October to 12 November and, specifically, at the Committee's 209th to 212th meetings from 12 to 14 November and at its 411th plenary meeting on 21 December 1952. While reference was made to both the regular United Nations technical assistance programme and to the Expanded Programme, the debate centred on the latter.

The majority expressed their satisfaction with the technical assistance programmes and stressed the importance of technical assistance as a means of promoting the development of under-developed countries through international co-operation. The Director-General of TAA stated that technical assistance activities had been greatly expanded during 1952 and that TAA was now operating on a scale three times greater than its former rate.

The representatives of Denmark, the Netherlands, Pakistan and Sweden emphasized that the recruitment of experts was a crucial problem and thought that it would be expedient to seek skilled assistance among younger people. The represen-

¹² See under Advisory Social Welfare Services.

¹³ For technical assistance activities during 1951, see Y.U.N., 1951, pp. 403-4.

¹⁴ See pp. 355-57.

tatives of Ecuador and Egypt, however, preferred experts to be persons of world-wide reputation, though this principle, they agreed, need not be followed too rigidly. The representative of Sweden also objected that social welfare experts, unlike experts in the field of economic development, were being recruited on the basis of personal interviews; she thought that more extensive use should be made of direct application to governments for such experts.

Some representatives, among them those of Brazil, Ecuador, Iraq, Pakistan and Syria, held that local training of staff, rather than training abroad, would be less expensive and would avoid psychological and language difficulties.

If the local costs of technical assistance projects to under-developed countries could be reduced, the representatives of Chile, Cuba and the Dominican Republic, among others, considered, the technical assistance programme could be implemented more rapidly. The representatives of the United Kingdom and the United States agreed that methods for establishing and levying local costs should be re-examined; they supported the Council decision in this connexion (see above).

The majority of representatives were of the opinion that there was a need for continuing and enlarging the Expanded Programme and that the reorganization of the Technical Assistance Board would lead to a more efficient and centralized administration of the Programme.

The Committee had before it a joint draft resolution (A/C.2/L.156 and Corr.1 and 2) by Brazil, Canada, Egypt, France, Pakistan, the Philippines, the United Kingdom and the United States. It proposed, *inter alia*, that the Assembly: (1) urge governments to contribute towards the goal of \$25 million suggested by the Council; and (2) urge those governments which had not paid their pledges for the first or second financial periods to do so. The draft resolution would also approve the arrangements made by the Council for allocating the contributions for 1953.

Amendments to the joint draft were proposed by Ecuador (A/C.2/L.167). They proposed, *inter alia*, that the Expanded Programme be continued on a permanent basis and that the Council should draw up a proposal to establish the financial arrangements for the Programme for a four-year period, envisaging a goal of \$40,000,000 for 1954.

The representatives of Argentina, Burma, Brazil, Chile, Colombia, the Dominican Republic, Greece, Indonesia, Pakistan and the Philippines favoured the continuation of the Programme on a permanent basis. However, the majority considered that

such a proposal was premature and that the idea of long-term assistance was implicit in the Programme itself. A suitable rate of contributions for 1954 should, it was felt, be left to the Council and to the Technical Assistance Committee to work out in the light of progress reports and other relevant factors. As to the establishment of financial arrangements for four years in advance, the representatives of Argentina, Canada, Chile, China, France, Sweden and the United States, among others, pointed out that the legislative and constitutional systems of a number of governments made such a commitment impossible.

The representative of Ecuador therefore substituted for his proposal that the Programme be continued on a permanent basis an amendment which would express the Assembly's conviction that the expansion of the Programme and its continued progress could make an important contribution to the achievement of higher living standards. This amendment was accepted by the sponsors of the joint draft resolution. The amended paragraph was subsequently adopted by a roll-call vote of 47 to none, with 5 abstentions. The sponsors of the draft resolution also accepted an amendment by Ecuador which would recognize that the Expanded Programme has demonstrated, rather than if demonstrating its value.

In place of his proposal to establish financial arrangements for four years and to set a target for 1954 the representative of Ecuador substituted an amendment (A/C.2/L.167/Corr.1) to request the Council to study the feasibility of working out estimates for the Programme on a basis longer than a one-year period and to report thereon to the Assembly at its eighth session. The sponsors of the joint draft resolution also accepted this amendment.

Two further parts of the original amendment by Ecuador (A/C.2/L.167) were adopted by the Committee. It adopted by 46 votes to none, with 6 abstentions, the proposal to add to the joint draft resolution a paragraph recognizing that technical assistance programmes could be more effectively planned and administered if information on pledges were made available earlier. By 39 votes to 1, with 13 abstentions, it adopted a further paragraph to request the Negotiating Committee for Extra-Budgetary Funds to undertake negotiations with governments regarding pledges for 1954 as soon as convenient after the close of the Council's sixteenth session.

A number of representatives, among them those of Argentina, Bolivia, Egypt, France and Syria, emphasized that in supporting the draft resolution they were not committing their governments

to contribute or to increase their contributions to the Programme.

The amended draft resolution, as a whole, was adopted by the Committee (A/2332 (I)) at its 212th meeting on 14 November by 46 votes to none, with 5 abstentions. The Assembly at its 411th plenary meeting on 21 December 1952, without discussion, adopted the resolution by 52 votes to none, with 5 abstentions, as resolution 621 (VII).

The USSR representative stated that he abstained because he considered that the Expanded Programme was designed not to promote the development of under-developed countries, but as part of a system to subject the economies of these countries to United States control and to use their territories for the establishment of military bases. The resolution read:

"The General Assembly,

"Believing that the Expanded Programme of Technical Assistance has demonstrated its value as an effective international means of assisting in the economic development of under-developed countries,

"Convinced that the expansion of the Programme and its continued progress can make an important contribution to the achievement of higher standards of living for the peoples of under-developed areas,

"Recognizing that governments requesting technical assistance, on the one hand, and the participating organizations of the Technical Assistance Board, on the other hand, would be able more effectively to plan and administer their programmes in the future if they had information concerning the amounts of money to be pledged by contributing governments at an earlier date than has been possible in respect of the first three years of operation under the Expanded Programme,

"1. Notes with satisfaction the action taken by the Economic and Social Council under resolution 433 A (XIV) of 11 June 1952;

"2. Approves the financial arrangements set forth in the annex hereto as agreed by the Economic and Social Council in paragraph 4 of its resolution 433 B (XIV) of 22 July 1952;

"3. Urges governments to contribute to the programme for the year 1953 towards the goal of \$US 25 million suggested by the Economic and Social Council in resolution 433 B (XIV);

"4. Urges governments which have not paid their pledges to the first or second financial periods of the Expanded Programme to make early payment to the Special Account;

"5. Requests the Negotiating Committee for Extra-Budgetary Funds, appointed pursuant to General Assembly resolution 693 (VII) of 25 October 1952, to undertake, in addition to already assigned tasks and as soon as convenient after the closing of the sixteenth session of the Economic and Social Council, negotiations with governments regarding their pledges to the Special Account for the year 1954 towards the goal to be suggested by the Council at that session;

"6. Requests the Council to study the feasibility of working out estimates for the programme on a basis

longer than a one-year period, and to report thereon to the General Assembly at its eighth session."

ANNEX

Financial arrangements

(AGREED BY THE ECONOMIC AND SOCIAL COUNCIL IN PARAGRAPH 4 OF ITS RESOLUTION 433 B (XIV))

Contributions received for the third financial period shall be allocated as follows:

(i) Fifty per cent of total pledges for 1953, up to but not exceeding \$10 million, shall be automatically available for allocation to the participating organizations in accordance with paragraph 8 (c) of Council resolution 222 A (IX), as amended, out of the contributions received for the third financial period;

(ii) The balance of contributions received shall be retained in the Special Account for further allocation, as provided in the resolution of the Technical Assistance Committee of 23 May 1952, approved by the Economic and Social Council on 11 June 1952 in the resolution 433 A (XIV).

c. TECHNICAL ASSISTANCE ACTIVITIES

(1) Expanded Programme of Technical Assistance

Under the Expanded Programme, the participating organizations between July 1950 and October 1952 had provided some 1,600 experts in a wide variety of fields of knowledge to some 65 countries, and approximately 2,700 fellowships and scholarships had been awarded. In addition to the fellowships awarded by the United Nations¹⁵ as a participating organization, fellowships have been awarded in the following fields by the specialized agencies participating in the Programme:

ILO—social security; labour inspection; employment services; co-operatives; labour legislation; statistics; wage-fixing machinery; industrial safety; industrial relations. FAO—agriculture; economics; nutrition; fisheries; forestry. UNESCO—education; natural sciences; mass communications; social sciences; cultural activities. ICAO—communications and meteorology; air traffic services; air transport policies and administration; engineering and flying. WHO—public health (general); tuberculosis nursing; malaria control; venereal diseases control; maternal and child health; and other communicable diseases.

Under the Expanded Programme the fellows have studied in Alaska, Argentina, Austria, Australia, Algeria, Belgium, Brazil, British Guiana, Canada, Ceylon, Chile, Colombia, Costa Rica, Cyprus, Denmark, Egypt, Finland, France, Germany (West), Gold Coast, Guatemala, Haiti, India, Indonesia, Ireland, Israel, Italy, Jamaica, Lebanon, Malaya, Malta, Mexico, Morocco, the

¹⁵ See p. 358.

Netherlands, New Zealand, Norway, Pakistan, Panama, the Philippines, Singapore, the Sudan, Sweden, Switzerland, Thailand, Turkey, the United Kingdom, the United States, Uruguay and Venezuela.

Examples of missions and regional projects for training and demonstration, which have been organized jointly by the organizations participating in the Expanded Programme, are as follows:

In June 1952 an economic development survey team of experts from the United Nations and FAO visited Pakistan to study development possibilities in the northern part of the Baluchistan States Union. The team made a comprehensive reconnaissance survey of the economic development of Kalat State. It made specific recommendations for Government action leading to development in hydroelectric power, irrigation, mineral resources, highways, agriculture, livestock and other fields. At the end of 1952 the recommendations of the team of experts were being considered by the Government.

Under agreements signed by the United Nations and the specialized agencies with the Colombian Government in November 1950, a comprehensive Mission took up residence in Colombia for a one-year period beginning in February 1951. Experts supplied by the United Nations included two taxation experts; one to advise on tax reform and budget accounting and on an over-all, long-range fiscal programme for the country, and one to advise on ways to improve the assessment and collection of taxes and the organization and administration of revenue offices. Another United Nations expert on the Mission advised on public utility operations and financial and rate problems. A fourth advised with respect to railway operation cost and rate problems, and a fifth with respect to harbour terminals. A sixth was an expert on price and production statistics who advised the Government on methods for the collection of such statistics and for preparing price indices, a cost-of-living index, import-export indices, and indices covering industrial and agricultural production. This expert also made recommendations for a complete reorganization of the statistical services of Colombia and a TAA/FAO/ILO Joint Mission, made up of seven statisticians, has been provided to the Government for the implementation of the proposed reforms.

A comprehensive Mission has been working in El Salvador since 1951, composed of a chief and assistant chief, an economist, and experts in the fields of port traffic and development; inland transportation; geological studies, including sur-

veys of oil resources; fiscal policy; organization of the textile industry, including improvements in manual weaving methods; industrial economics; postal and telecommunications; marketing and commerce; electric power distribution, both hydraulic and thermal; town and country planning, including problems of low-cost housing construction and financing and social welfare administration. UNESCO provided an educational adviser and ILO an expert on labour problems. All have made specific recommendations for the improvement of the economy of El Salvador and the mission has also submitted a general report surveying the main economic problems of the country and making specific recommendations for agricultural and industrial improvements.

As a result of recommendations of a Joint United Nations/ILO Mission which went to Burma in the winter of 1950-51, ten experts and technicians had been appointed by the end of 1952 to advise on a variety of cottage industries in Burma. Trainees working under the guidance of the textile training expert had made substantial progress in new techniques of screen printing and stencil cutting. An earthenware pottery technician produced on a laboratory scale a high-lustre semi-porcelain which was considered to be superior to any similar product previously obtained in the Burma Pottery Works and was experimenting with tile making. An expert on the rehabilitation of Japanese war reparations machinery assisted in the organization of cleaning and repairing machinery and putting it into operation. Other phases of the programme in which experts were already at work or would shortly be appointed were power weaving, the production of hand-made paper and of enamelware, electroplating and anodizing industries and the manufacture of storage batteries and dry cells. In addition, an expert experienced in American and European marketing of silk textile products visited Burma for several months in the early part of 1952.

A regional seminar for the Western Pacific on up-to-date techniques in vital and health statistics was held in Tokyo from 4 August to 20 September 1952, under the auspices of the United Nations, WHO and the Government of Japan. The seminar, attended by more than 30 persons, emphasized the administrative and applied aspects of vital and health statistics and the exchange of technical knowledge among the participants from the different countries. The objective of the seminar was to improve national statistics services so that their data might fulfil both national and international needs.

A regional technical seminar on production and price statistics, sponsored by the United Nations, FAO and the Government of Lebanon, was held in Beirut from 1 to 14 July 1952. The seminar was arranged specifically for officials directly in charge of the compilation of production and price statistics in the Middle East. It took up the topics of statistics of industrial production, statistics of agricultural production and statistics of prices. It was attended by 22 representatives and several observers.

In Rio de Janeiro, under the auspices of the United Nations and UNESCO, special courses in public administration and a seminar on organization were held between November 1951 and March 1952. The special courses and the seminar were two inter-related aspects of a programme of training in public administration undertaken by the Brazilian Government, the Getulio Vargas Foundation and the United Nations, preliminary to the opening in Rio de Janeiro of a government-supported School of Public Administration. Through the special courses, which were held from 5 November 1951 to 20 March 1952, about 60 junior and intermediate public officials received full-time training in principles of public administration, organization and methods, personnel administration, budget formulation and execution, and comparative administration. Those attending included State and municipal, as well as national officials of Brazil, and 20 officials from other Latin American countries participated through scholarships offered by the Brazilian Government. The seminar, which the students of the special courses attended as observers, brought together 20 experts from Latin America, the United States and Europe for discussions. The seminar was held from 4 February to 5 March 1952.

(2) United Nations Programme of Technical Assistance¹⁶

With the exception of the origin of funds,¹⁷ no administrative distinction is made between the regular United Nations technical assistance programmes for economic development and for public administration and that part of the Expanded Programme which is administered by the United Nations. 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.

During 1952 a total of 378 experts, representing 38 nationalities, were sent by the United Nations to 31 countries. For example, under a Special

Agreement signed with the Bolivian Government on 1 October 1951, seven administrative assistants were recruited by the United Nations from among candidates from 22 countries and appointed as integral members of the Bolivian Civil Service for periods of two to five years. (With a change in Government a new agreement was signed on 2 May 1953 which differs from the original agreement principally in its emphasis on mining and metallurgy). Their work is in the fields of public finance; banking and monetary system; agriculture; and labour, social welfare and social security. Another administrative assistant in public administration was still to be appointed. A Special Representative of the Secretary-General was appointed on 1 February 1952 to advise on the selection of these candidates, to carry on liaison between the Secretary-General and the President of the Republic and Ministers on the development of the programme and to advise the Co-ordinator-General of the Programme appointed by the Bolivian Government.

Under the same Agreement, the United Nations agreed to supply Bolivia with the services of thirteen experts, and experts have been recruited to advise on housing, mineral production, mining cost analysis, smelting, road transport and hydroelectric power.

The Special Agreement also provided for 30 fellowships for Bolivian nationals in allied fields and for \$150,000 worth of equipment from the United Nations.

In 1952 the United Nations undertook to provide to the Government of Ceylon a number of experts, known as "resident co-ordinating officers" who would take executive responsibility in individual industrial enterprises. They would be responsible to the department concerned. Expert assistance of this type has been provided in salt, sugar and rare mineral sands industries.

Among other experts furnished to various countries in 1952, one statistical expert, one specialist in the use of water resources and a number of experts in the metallurgical industry were sent to Israel. Three experts went to Yugoslavia to work on hydro-power plant construction problems, two to work on problems of base metal mining and one each on the production of road vehicles, locomotive machinery production, agricultural machinery production, mining

¹⁶ 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. 509-10.

¹⁷ See p. 353.

and processing of asbestos and secondary methods of petroleum recovery. A coal consultant and a technical adviser on the construction of low-cost, earthquake-resistant housing were sent to Ecuador and an expert in public administration to Paraguay. Two shipbuilding experts went to India to assist in building up an Indian merchant marine and two criminologists advised on problems of correction and prison administration. A group of six experts were also sent to India to advise on the planning, construction and operation of a large-scale factory for the manufacture of fertilizer. The factory, when completed, will be one of the largest in the East. Iran received technical advice on: general economic and financial problems; electric power development; the development of underground water resources; the business and general accounting of industries under Iran's Seven Year Plan; textiles; railroad operation and maintenance; port development; telecommunications; and on a geological survey of the country. Two experts were appointed to advise Indonesia in matters relating to import and exchange controls; budgetary problems; and public debt and taxation.

During 1952, 729 fellowships and scholarships were awarded and taken up by nationals of some 64 countries. These awards were in the fields of: public administration; economic development; and social welfare and development.

During 1952 greater emphasis was given to assistance to training centres, demonstration projects and pilot plants within the under-developed areas. Such centres are initiated on the suggestion of the United Nations Regional Economic Commissions for Europe, for Asia and the Far East and for Latin America or of subsidiary bodies of the organizations participating in the Expanded Programme. These projects, however, have often been organized on a joint basis by the organizations since in most cases the basic problems of the under-developed countries involve simultaneous action in technical, administrative, financial, economic and social fields.

The United Nations Technical Assistance Administration, at the request of the Indian Government, recruited a team of four experts to provide training programmes in the techniques of statistical quality control to promote their application to Indian industry and to enable Indian specialists to continue these training programmes and extend them to other areas of the country. At each centre, TAA experts undertook extensive and concentrated training programmes of three to four weeks for 25 to 30 students from the industries of the area.

In response to requests from the Governments of India and Pakistan, an expert in inland water transport visited these countries and recommended a comprehensive programme for inland water transport development to both Governments.

A group of experts from Burma, Cambodia, China, India, Indonesia, Pakistan, the Philippines, Thailand and Vietnam undertook a four-month tour of Europe, North America and Japan to study methods of railway operation and signalling.

A seminar on the production of power alcohol and its use as an automotive fuel was held in Lucknow, India, from 23 October to 6 November 1952. Organized by the United Nations and ECAFE, in collaboration with the Government of India, it was attended by specialists from India, Indonesia, Korea, Nepal, Pakistan, the Philippines and Vietnam. The subjects discussed include the operation of distilleries, alcohol production processes, engineering problems in power alcohol utilization and legislation adopted in various countries to encourage its use.

d. CONTRIBUTIONS TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

As a result of the second technical assistance conference in February 1952, 65 governments pledged \$18,795,355 for the year 1952. A summary of the contributions pledged to the Special Account for the second financial period appears on page 364.

2. Financing of Economic Development

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

(1) Annual Report of the International Bank For Reconstruction and Development

The Council, at its fourteenth session, had before it at its 605th and 606th plenary meetings on 16 June 1952 the annual report of the International Bank for Reconstruction and Development (E/2168), together with a supplement covering the period from 1 July 1951 to 31 March 1952 (E/2168/Add.1).

The President of the Bank, in a supplementary statement to the Council, stated that the Bank had steadily expanded its lending activities in providing resources for economic development. During the fiscal year 1950-51 it had made 21 loans totalling \$297 million to eleven different countries and during the subsequent nine months a further fourteen loans amounting to \$212 mil-

Name of Country	Local Currency	Amounts	US Dollar Equivalents
1. Afghanistan	Afghanis	119,084	7,001
2. Argentina	Pesos	1,000,000	200,000
3. Australia	Equivalent of US \$		190,000
4. Austria	Schillings	500,000	19,231
5. Belgium	Belgian francs	13,500,000	270,000
6. Bolivia	Bolivianos	750,000	12,500
7. Brazil	Cruzeiros	8,500,000	459,459
8. Burma	Equivalent of US \$		8,000
9. Cambodia	Equivalent of US \$		5,000
10. Canada	Canadian \$	750,000	750,000
11. Ceylon	Equivalent in £ sterling of US \$		15,000
12. Chile	Pesos	5,400,000	174,194
13. China	United States dollars	10,000	10,000
14. Colombia	Equivalent of US \$		100,000
15. Costa Rica	United States dollars	5,000	5,000
16. Cuba	United States dollars	50,000	50,000
17. Denmark	Danish kroners	750,000	108,585
18. Dominican Republic	United States dollars	6,000	6,000
19. Ecuador	Suces	94,500	6,300
20. Egypt	Egyptian pounds	28,500	81,850
21. El Salvador	United States dollars	5,000	5,000
22. Ethiopia	Equivalent of US \$		20,000
23. Federal Republic of Germany	Marks	500,000	119,048
24. Finland	Finmarks	2,310,000	10,000
25. France	French francs	372,625,000	1,064,643
26. Greece	Equivalent of US \$		20,295
27. Guatemala	United States dollars	7,500	7,500
28. Haiti	United States dollars	12,000	12,000
29. Honduras	United States dollars	8,000	8,000
30. Iceland	Kronas	40,714	2,500
31. India	Equivalent of US \$		275,000
32. Indonesia	Rupiahs	500,000	43,860
33. Iran	Equivalent of US \$		40,000
34. Iraq	Equivalent of US \$		5,000
35. Ireland	Pounds sterling	5,000	14,002
36. Israel	Israel pounds	10,000	28,003
37. Italy	Equivalent of US \$		93,000
38. Japan	Yen	28,800,000	80,000
39. Korea	United States dollars	5,000	5,000
40. Laos	Equivalent of US \$		5,000
41. Lebanon	Lebanese pounds	15,000	6,846
42. Liberia	United States dollars	12,000	12,000
43. Luxembourg	Equivalent in Belgian francs of US \$	2,500	2,500
44. Mexico	Pesos	300,000	34,682
45. Monaco	French francs	1,000,000	2,857
46. Netherlands	Netherlands guilders	1,520,000	400,000
47. New Zealand	New Zealand pounds	45,000	124,138
48. Nicaragua	Cordobas	25,000	5,000
49. Norway	Norwegian kroners	400,000	55,999
50. Pakistan	Pakistan rupees	500,000	151,103
51. Panama	Balboas	3,000	3,000
52. Paraguay	United States dollars	5,000	5,000
53. Philippines	Pesos	100,000	50,000
54. Saudi Arabia	United States dollars	15,000	15,000
55. Sweden	Swedish kroners	1,848,500	357,336
56. Switzerland	Swiss francs	947,672	218,862
57. Syria	Syrian pounds	25,000	11,410
58. Thailand	Bahts	425,000	34,000
59. Turkey	Equivalent of US \$		182,000
60. United Kingdom	Pounds sterling	450,000	1,260,151
61. United States	United States dollars	11,400,000	11,400,000
62. Uruguay	Equivalent of US \$		50,000
63. Venezuela	Equivalent of US \$		20,000
64. Vietnam	Equivalent of US \$		7,500
65. Yugoslavia	Dinars	15,000,000	50,000

 18,795,355

lion had been made to fourteen different countries. As of 31 March 1952 its total loans amounted to slightly more than \$1,300 million advanced to 26 Member States for financing more than 250 large projects. The loans had been used to help finance the purchase of hundreds of tractors, trucks and locomotives, to construct roads, electric power plants and steel mills, to purchase ships and to carry out many other development projects. In most projects the Bank was providing a part of the necessary funds, the costs in local currencies being financed from domestic sources.

The President of the Bank anticipated that the pace of its activities would continue to grow. Thus far the Bank had been able to raise all the funds needed for its lending activities through the issue of bonds, most of which had been issued on the United States market. Some had, however, been issued also in the United Kingdom, Switzerland and Canada. The reluctance of many Member States, due to the prevailing conditions of financial stringency, to release a substantial portion of their 18 per cent local currency subscriptions for use in Bank lending had, however, been a seriously limiting factor in its operations. Nevertheless, some governments had been able to release parts of their national currency subscriptions and there had been some increase in the Bank's lending in non-dollar currencies. Moreover, the Canadian Government had announced in May 1952 that it would release the remaining portion of its 18 per cent subscription, amounting to \$41 million, for the Bank's lending operations.

The President of the Bank pointed out that the Bank's technical assistance programme constituted its second principal field of endeavour and had mainly taken the form of general survey missions designed to help member countries to formulate long-term development programmes. In an increasing number of countries central planning and co-ordinating bodies which had been much needed were being established, while there was also a growing recognition of the importance of monetary stability for orderly economic development.

In the course of the debate in the Council several representatives, among others those of Belgium, Canada, Sweden and the United Kingdom, expressed their satisfaction at the fact that the majority of the Bank's loans had been made for basic development projects and that economic progress was being fostered by the Bank's technical assistance. The growing flexibility of the Bank's borrowing and lending techniques and

the Bank's tendency to expand its loan operations in non-dollar currencies were also noted with approval by the representatives of Belgium, France, Iran, the United Kingdom and the United States. The hope was expressed that more countries would be able to release a part of their 18 per cent local currency subscriptions to the Bank in order to permit further increase in non-dollar loans. The representative of the United Kingdom stated that, in view of the position of its balance of payments, his Government could not do more at the present time, but would consider the possibility of taking a more active part in the Bank's operations in the future.

The representative of Pakistan, pointing to the difficulties experienced by the under-developed countries in paying the interest rates charged by the Bank, hoped that these countries might receive some relief in the form of lower interest rates. Other representatives, among them those of France and the United States, noted favourably that the Bank was seeking to encourage private initiative by making loans to local credit institutions, which would put them at the disposal of private borrowers engaged in small or medium-sized businesses. They also stressed the need for a close co-ordination between the Bank's technical assistance activities and those of the other specialized agencies. The representative of Iran felt that much remained to be done by the Bank in extending assistance to the under-developed countries. The Czechoslovakian representative expressed the view that the Bank had subordinated its activities to the foreign policy of the United States.

The Council unanimously adopted a formal proposal by the President (resolution 416 B (XIV)) taking note of the report of the Bank.

(2) Report of the Bank on the Establishment of an International Finance Corporation

The Council at its thirteenth session (368 (XIII)) had expressed interest in the possibility of establishing an International Finance Corporation to promote the financing of productive private enterprise in under-developed countries, through loans without government guarantee, through equity investments or through other adequate methods, and had requested the Bank to consider what contribution such a body could make and to report on the conclusions reached.

The Bank accordingly submitted its report (E/-2215) to the Council's fourteenth session. The Council at its 606th plenary meeting on 16 June 1952 decided to discuss the question jointly with that of methods of financing economic development (see below). It specifically considered the

Bank's report at its 606th to 608th plenary meetings on 16 and 17 June and at its 615th plenary meeting on 23 June 1952.

The Bank pointed out, among other things, that its Executive Directors were not expressing any opinion on the merits of the proposal or any opinion on behalf of the governments they represented and that the proposal was still being studied.

The report envisaged that the corporation would be an affiliate of the Bank and would make the fullest possible use of its technical and administrative staff. The capital of the corporation, however, would be provided by the governments of its member States and not by the Bank. Membership in the corporation would be open to all members of the Bank. The report outlined the reasons for the inadequacy of private investment in under-developed countries, a situation which had led to the establishment of a number of national financial institutions of a public or semi-public character with the object of supplementing the flow of private capital through public assistance to or participation in private enterprise. It was pointed out, however, that existing national and international agencies "do not, in the aggregate, adequately meet the need for stimulating private international investment." The report referred to existing limitations on the ability of the Bank to contribute directly to the growth of private investment. It emphasized that the corporation should supplement, and not supplant, the activities of private investors and that the corporation would be empowered to make both unguaranteed loans and equity investments. It was assumed, however, that, as a matter of principle, the corporation would not accept responsibility for management or a controlling equity interest in an undertaking in which it invested. Nor would any special status or immunity attach to such undertakings by reason of the corporation's participation in them. Its policy would be to revolve its funds by selling the securities in its portfolio whenever it was possible to do so at a fair price.

In introducing the report, the President of the Bank expressed the view that an international finance corporation could stimulate the flow of private capital, and the technical and managerial skills that such capital brought with it, into private undertakings in the under-developed countries in three ways. First, it would enable private investors, domestic and foreign, to undertake projects now held back by lack of capital. Second, it would induce private investors to enter the development field by bringing to their atten-

tion investment opportunities of which they would otherwise be unaware. Third, it should be able to encourage investors to embark on projects from which they are deterred by lack of confidence, rather than lack of capital. He emphasized that the corporation should have sufficient flexibility to adapt its financing techniques to the needs of particular cases, and pointed out that the Bank's report was only a preliminary study.

A number of technical questions were raised by various representatives concerning the constitution of the board of the proposed corporation; the position of non-members of the Bank who might wish to participate in the corporation; the methods of revolving the funds of the corporation; the question of the currency transferability of the earnings of the corporation as well as of sales proceeds from holdings sold out of its portfolio; questions relating to the representation of the corporation in the management of undertakings financed by it; and the nature of convertibility of subscriptions to the corporation. The President of the Bank, replying to some of these questions in the course of the debate, assured the Council that the questions raised would be carefully studied by the Board of Directors of the Bank. He also stated that the technical questions asked by many representatives brought out the highly complex nature of the problem and it was obvious that some of the answers could be found only in the actual operation of the proposed corporation.

The representatives of France and the United Kingdom indicated that, because of balance-of-payments difficulties, no contributions could be made by their Governments to such a corporation at the present time. The latter, however, suggested that the corporation might start with a limited membership which could subsequently be extended as additional countries improved their balance-of-payments position and found it possible to contribute.

The representatives of the United Kingdom and the United States were somewhat apprehensive that money subscribed for the corporation might represent funds diverted from other forms of financial assistance to under-developed countries, or might reduce the funds available to existing international institutions. The representative of Canada, however, thought that there was no reason to fear this and that, in fact, the corporation would appreciably supplement the financing of economic activity in under-developed countries. The Pakistani representative stressed that the corporation should be supplementary and not a substitute for assistance from other sources.

The representative of Chile¹⁸ urged that the establishment of a corporation should not be considered to the exclusion or detriment of other measures to promote public investment whether taken by existing institutions or through the creation of a special fund (see below). The creation of such a corporation was appropriate for countries at a certain stage of development but quite unfitted for financing basic development projects, he considered.

The representatives of Belgium, France, the the question of the proposed corporation should be studied in relation to other methods, such as fiscal incentives, and of promoting the flow of private capital to under-developed countries.

The representatives of Belgium, France, the United Kingdom and the United States thought an international finance corporation would presumably be faced with the same problems as faced other enterprises or investors. Specifically, it might be subject to restrictions on the transferability of funds or be affected by the policies of governments of under-developed countries towards private investment enterprises with foreign participation. The representative of Iran thought that suitable measures should be taken, on the basis of normal trade agreements, in order to provide foreign capitalists with the necessary safeguards. He and the representative of the Philippines also considered that a finance corporation was only one way of providing the needed capital and that the highly developed countries could do a great deal by guaranteeing private investment and by taking legislative steps to prevent double taxation of profits. The representative of Belgium regretted that the Bank had not given greater consideration to the conditions which must be created to give investors confidence.

The Council had before it two draft resolutions concerning the creation of an international finance corporation; one by the Philippines (E/L.366) and the other jointly by Canada, Pakistan and the United States (E/L.367). The main difference between the two proposals was that the Philippine draft resolution would have the Council go on record as stating that it was aware that an important gap in the existing international machinery for economic development should be filled by the creation of a new instrumentality, thereby approving the idea of such a corporation in principle.

However, the majority felt that such action was premature. They thought that the document submitted by the Bank should be considered as a progress report, and that the Bank should be

requested to continue and extend its studies and its discussions with a view to arriving at definite proposals. The representative of the Philippines therefore joined with the representatives of Canada, Pakistan and the United States in submitting a compromise draft resolution (E/L.368). The Council adopted this at its 615th plenary meeting on 23 June by 15 votes to none, with 3 abstentions, as resolution 416C (XIV).

By this resolution, the Council commended the Bank for the useful contribution it had made to the study of the proposal for an international finance corporation. It requested the Bank, in continuing its further examination of this proposal, to take into account the comments made on the Bank's report during the fourteenth session of the Council and suggested that governments consult with national organizations and business groups having an interest in the problem of stimulating the participation of private domestic and foreign capital in the economic development of the under-developed countries. The Council requested the Bank to seek the views of the governments of its member States on the desirability of establishing such a corporation, invited other interested governments to transmit to the Bank any further comments and questions that they may have concerning this proposal, and requested the Bank to inform the Council, during 1953, of the results of its further examination of the proposal and the action taken concerning it.

(3) Methods of Financing Economic Development

The Council considered this question at its 606th to 610th, 613th to 615th and 626th and 627th plenary meetings on 16 to 18 and 20 to 23 June and 1 July 1952.

(a) SPECIAL FUND FOR GRANTS-IN-AID AND LOW-INTEREST, LONG-TERM LOANS

In resolution 368 (XIII) the Council, "without either accepting or rejecting the principle of the establishment of an international fund to assist in the financing of economic development of under-developed countries or of an international development authority", had requested the Secretary-General, in consultation with the International Bank and other appropriate specialized agencies, to formulate practicable methods for dealing with the problem of granting assistance and to submit them to the session of the Council preceding the Assembly's seventh session. The

¹⁸ Under Article 69 of the Charter, the Council shall invite any Member of the United Nations to participate, without vote, in the discussion of matters of particular concern to that Member. See p. 16.

General Assembly, in resolution 520 A (VI), had requested the Council to submit to its next session a detailed plan for establishing, as soon as circumstances permit, a special fund for grants-in-aid and low-interest, long-term loans to help under-developed countries, at their request, to accelerate their economic development and to finance basic non-self-liquidating development projects.

The Council, therefore, had before it a working paper (E/2234) by the Secretary-General. It also had before it, as a result of the Assembly's invitation, a note by the Secretary-General (E/2242 and Add.1) containing suggestions from various governments with respect to a detailed plan for a special fund.

In the introduction to the working paper, the Secretary-General pointed out that the paper consisted of a series of alternative approaches covering the elements of a detailed plan, none of which were to be regarded as a recommendation. The working paper dealt with the income aspects of the fund, its size and the manner of collecting contributions—including factors affecting the composition and character of funds which might be made available—and the operations and disbursements of the fund covering policies and principles as well as the methods by which the funds might be apportioned. Brief consideration was also given to questions of intergovernmental control of the fund, its administration and duration. The Council's attention was drawn to the fact that any policy which would limit financial assistance to non-self-liquidating projects might force governments to adopt fiscal measures to shift the use of their own financial resources away from what might sometimes be the most essential types of projects, and to employ them for less important purposes in order to acquire eligibility for assistance from the special fund. The working paper stated that the appropriate objective of financial assistance granted by the special fund would therefore appear to be one of meeting the general insufficiency of a country's financial resources for economic development, rather than that of financing particular types of development projects or of meeting a country's foreign exchange requirements. With respect to the administration of a special fund, the Secretary-General further expressed the view that "it would be a serious mistake to consider the setting up of still another international organization for the purpose of administering any special fund and that every possibility [should] be examined of merging the administration of the special fund either with the International Bank for Recon-

struction and Development or with the United Nations. But whether the first or the second, the closest possible collaboration between these two existing international bodies would have to be provided for."

In addition to members of the Council, the representatives of Chile, India and Yugoslavia¹⁹ took part in the debate on this question which was considered specifically by the Council at its 608th to 610th and 613th to 615th plenary meetings from 17 to 23 June 1952.

The debate relating to the question of a special fund centred around a joint draft resolution sponsored by Cuba, Egypt, Iran, the Philippines, Burma, Chile and Yugoslavia (E/L.363 and Corr.1) which proposed the establishment of a committee to prepare a detailed plan for a special fund.

A number of representatives, including those of Canada, the United Kingdom and the United States, while supporting the proposal for establishing such a committee, drew attention to the preamble of General Assembly resolution 520 (VI), under which participation in the formulation of the detailed plan did not involve a financial commitment to contribute to the special fund, if and when such a fund were created. Some representatives stressed that because of financial difficulties and other commitments various countries would not be in a position to contribute to the fund at present. Some representatives, among them those of Argentina, Canada, China, France, Mexico, Sweden, the United Kingdom and the United States, specifically reserved their positions regarding the possibility of contributing to the special fund, the advisability of drawing up a detailed plan now, or regarding the provision of development grants by an international agency. At the same time, these representatives wished to make it clear that their reservations related to the proposed machinery and not to the purpose or principle of external assistance to under-developed countries by grants, loans, technical assistance or by some other appropriate means.

The representative of Chile stated that the under-developed countries were prepared to agree that the question of creating an international fund should be the subject of a further preparatory study, providing they were assured that that would not involve a period of suspended animation followed by burial.

¹⁹Under Article 69 of the Charter, the Council shall invite any Member of the United Nations to participate, without vote, in the discussion of matters of particular concern to that Member.

Several representatives, among them those of Iran and Pakistan, expressed hope that the members of the proposed special committee would be persons having direct experience in dealing with the type of problems likely to arise in the operation of a special fund.

During the course of the debate, the importance of particular aspects of economic development was emphasized. The representatives of Chile and India stated that in no case should rearmament or defence programmes postpone economic development; this development was an indispensable element of collective security.

The representatives of Czechoslovakia, Poland and the USSR stressed that the aim of technical assistance or financing programmes should be to promote the local industry of the countries concerned and should not be subject to any political, economic or military conditions. The United States and other countries, they charged, exploited under-developed countries by dictating prices of exports as well as imports; moreover, United States aid was linked closely to its military assistance. The United Nations, they held, should create conditions which would allow the under-developed countries to exploit their national resources for their own economic development.

The complementary nature of the proposed international finance corporation and the proposed special fund was stressed by the representatives of France and the United Kingdom. The representatives of Argentina and Chile stressed the relationship between loans and grants-in-aid, on the one hand, and the proceeds obtained by under-developed countries from the export of their primary products, on the other.

The need for giving due consideration to social development as well as to economic development was emphasized by the representatives of Belgium, France, Iran and the United Kingdom. The representatives of Belgium and France also felt that the whole question of economic development must be kept in perspective and that consideration must be given to the need for a harmonious balance between industrial and agricultural development and between the industrialization of under-developed countries and the economic stability of the more developed countries. The representative of Pakistan suggested that the operations of the special fund should emphasize agricultural development and, specifically, the reclamation of land.

It was pointed out by the representatives of Chile, India and Pakistan, among others, that private capital could not be expected to finance non-self-liquidating projects and that, therefore,

a fund for grants-in-aid was particularly important. However, the representatives of Argentina and the United Kingdom, among others, questioned this assumption and suggested that grants-in-aid should be given only in cases when they were required to fill a gap between a country's essential development programme and the resources it could devote to investment. It was also suggested by the United Kingdom representative that grants-in-aid should be used only for capital cost and not to meet recurrent expenses. The representative of Mexico expressed some doubt about the desirability of reducing the vast problem of financing to a question of loans and grants-in-aid.

The sponsors of the joint draft resolution submitted a revised text (E/L.363/Rev.1 and Rev.1/Add.1) at the Council's 614th meeting on 20 June. This differed from the original text principally in two ways: (1) it replaced the references to the establishment of a special fund with a reference to the development of a detailed plan; and (2) asked the committee to take into consideration the Secretary-General's working paper in general rather than setting forth specific guides for the committee.

The revised draft resolution was adopted by the Council at its 615th meeting on 23 June by a roll-call vote of 15 to none, with 3 abstentions, as follows:

In favour: Argentina, Belgium, Canada, China, Cuba, Egypt, France, Iran, Mexico, Pakistan, Philippines, Sweden, United Kingdom, United States, Uruguay.

Abstaining: Czechoslovakia, Poland, USSR.

The resolution (416 A (XIV)) read:

"The Economic and Social Council,

"Having considered General Assembly resolution 520 (VI) on financing of economic development of under-developed countries, and, particularly, the General Assembly's request to the Council "to submit to the General Assembly at its seventh regular session a detailed plan for establishing, as soon as circumstances permit, a special fund for grants-in-aid and for low-interest, long-term loans to under-developed countries for the purpose of helping them, at their request, to accelerate their economic development and to finance non-self-liquidating projects which are basic to their economic development",

"Taking note with appreciation of the many alternative approaches to the establishment of the special fund set out in the Secretary-General's working paper (E/2234),

"Conscious of the fact that the preparation of the detailed plan which the General Assembly requested the Council to present to it at its seventh session requires a thorough study of the many and complex aspects of the plan, and that the single session of the Council in 1952 does not allow enough time for this purpose,

"Convinced, nevertheless, that positive steps are urgently required during the fourteenth session of the

Council with respect to the development of the detailed plan referred to above if the Council, at its fifteenth session, is to be in a position to complete the task assigned to it by the General Assembly,

"Decides to establish a committee to prepare such a detailed plan and that the composition and the terms of reference of this committee shall be as follows:

"(a) The Committee shall be composed of not more than nine persons who shall serve in their personal capacities, who shall be chosen from various parts of the world so as to reflect adequately the geographical distribution of the States Members of the United Nations and who shall have the experience and high ability required by the importance and complexity of the task entrusted to them;

"(b) The Secretary-General shall appoint the members of the Committee;

"(c) The Committee shall be convened not later than December 1952 and shall complete its report to the Council not later than by 1 March 1953;

"(d) In addition to General Assembly resolution 520 (VI), the Committee shall be guided in its work by the following:

"(i) The relevant discussions in the General Assembly and the Council pertinent to the preparation of a detailed plan;

"(ii) The proposals, principles and alternatives set out in document E/2234, especially those mentioned in paragraphs 8, 14, 19, 22 to 25, 28, 29, 32, 42, 50 and 51."²⁰

(b) FISCAL INCENTIVES TO INCREASE THE INTERNATIONAL FLOW OF PRIVATE CAPITAL

The Council, during the debate on the whole question of methods of financing economic development and specifically at its 610th plenary meeting on 18 June and at its 626th and 627th plenary meetings on 1 July 1952, also considered proposals dealing with fiscal incentives to increase the international flow of private capital for the economic development of under-developed countries. The Council had before it two draft resolutions. The first, a draft resolution by Cuba (E/L.365 and Rev.1), which was subsequently withdrawn, asked the Council to declare the principle that income from foreign investments in under-developed countries should be taxed only in those countries and exempt from further taxation in all other countries, and to recommend the necessary unilateral legislative action to enforce this principle as well as its introduction in bilateral tax agreements between highly developed and under-developed countries. The second, a joint resolution by Cuba, Iran and the Philippines (E/L.383 and Corr.1), proposed as a compromise that the Council should request the Fiscal Commission to examine this proposal further, and submit the results of this study to the fifteenth session of the Council.

In introducing the joint draft resolution (E/L.383 and Corr.1), the representative of Cuba

pointed out that the principle of suppressing double taxation in such a way that income was taxed only in the country in which it was earned had been supported by twenty Latin American countries, which were members of ECLA, as well as by many other countries, including capital-exporting countries.

The representatives of Belgium, France, the United Kingdom and the United States considered that the Council had already recognized the principle that foreign capital and enterprise did not need to be attracted by more favourable tax treatment than that given to enterprises in capital-exporting countries. If they did give more favourable treatment, capital-exporting countries would, in effect, be penalizing capital invested in their own countries and in their overseas territories, and in addition would suffer a considerable loss of revenue. The representative of France also stated that experience in some European countries had shown that any regulations which provide exceptionally favourable taxation arrangements for private capital invested abroad are likely, in existing circumstances, to increase the danger of inflation in the capital-providing countries.

From the point of view of the under-developed countries themselves, the representative of France continued, it was questionable whether the granting of such treatment would not constitute a serious and heavy burden for their budgets, their public finances and the enterprises within their territories belonging to their own nationals. The Belgian representative supported this view. In addition, he considered that it was contrary to social justice to grant preferential treatment to capital invested abroad.

The representative of Canada stated that his country was liberal in regard to the taxation of income from capital invested abroad, and that such income benefitted from certain concessions. He considered that it was an appropriate time for an increase in the investment of private capital in the development of under-developed countries and suggested that double taxation might be avoided by bilateral agreements.

At the Council's 627th plenary meeting the sponsors of the joint draft resolution submitted a revised text incorporating several verbal amendments designed to clarify the original wording.

In explaining his abstention, the representative of Czechoslovakia stated that the joint draft reso-

²⁰ These concerned composition, and questions of character of contributions; operations; policies and principles; and intergovernmental control.

lution provided no safeguards against interference in the internal affairs of under-developed countries. It seemed designed exclusively to decrease taxation of foreign enterprises thus ensuring for them larger profits which were not retained in those countries and did not promote their economic development.

The Council adopted the revised joint draft by 15 votes to none, with 3 abstentions, as resolution 416 D (XIV). It read:

"The Economic and Social Council,

"Recognizing:

"(a) The great importance for the acceleration of economic development of finding means of stimulating the flow of private investment capital from the highly developed to the under-developed countries,

"(b) That the present international flow of private investment capital is insufficient for development needs,

"(c) That in so far as international double taxation constitutes a deterrent to foreign investment this deterrent has been greatly reduced through international tax agreements and unilateral measures for the avoidance of such double taxation,

"(d) That the measures heretofore adopted for the avoidance of double taxation do not, however, appear to afford a positive incentive to foreign private investment,

"(e) That further examination is needed of: (i) the extent to which fiscal measures may afford an incentive to the flow of foreign investment from the highly developed to the under-developed countries; and (ii) the feasibility and desirability of such measures,

"1. Notes that in the field of international tax problems:

"(a) In accordance with Council resolution 378 B (XIII), the Secretary-General is continuing to study "the effects of taxation on foreign trade and investment"; and

"(b) In accordance with resolution 3 (IV) of 16 June 1951 of the Economic Commission for Latin America, a study is being undertaken jointly by the Headquarters Secretariat and the secretariat of the Economic Commission for Latin America of "the influence that the fiscal systems of capital-exporting countries may have on the decisions of private investors in those countries to make foreign investments";

"2. Requests that, in the light of the results of the further studies being made by the Secretary-General and of the study which is being undertaken jointly by the Headquarters Secretariat and the secretariat of the Economic Commission for Latin America, the Fiscal Commission give further consideration to the problems of taxation in relation to foreign investments;

"3. Further requests the Fiscal Commission, in the consideration of such problems:

"(a) 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 by countries other than those in which the foreign investments are made; and

"(b) To submit the results of such examination to the Council in a special section of its next report."

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The General Assembly considered the question of financing economic development during the Second Committee's general debate on economic development at its 195th to 209th meetings from 23 October to 12 November and specifically at its 213th to 224th meetings from 17 November to 1 December and at its 411th plenary meeting on 21 December 1952.

(1) Consideration by the Second Committee

(a) GENERAL DISCUSSION

The debate in the Committee centered in the place in economic development of private foreign investment, the importance of export trade to economic development and the establishment of a special fund for grants-in-aid and of an international finance corporation.

Representatives of under-developed countries stated, among other things, that they welcomed foreign capital which claimed no special privileges and sought investment outlets for purely industrial and economic reasons. In Asia and the Far East, it was pointed out, there was now a tendency, which should help attract capital, to liberalize laws and regulations. The fears that under-developed countries might impose restrictions on foreign private investment were groundless if industrialized countries did not seek privileged positions nor possession and exploitation of certain resources. In return for guarantees to protect foreign private investment, under-developed countries, they held, should be given guarantees to protect them against some of the harmful effects suffered in the past from private capital. The representatives of Egypt, Iran, Lebanon and Saudi Arabia suggested that a study should be made of the factors responsible for the reluctance of foreign capital to invest in under-developed countries.

The representative of France acknowledged that the interests of foreign investors sometimes clashed with national aspirations because private capital preferred investments in the extractive industries. But it would be unfortunate, he said, if such investments ceased. He agreed, however, that the countries concerned were rightly anxious to retain control of their basic resources and to use the profits from them for other development needs.

The representative of the United States pointed out that although the flow of private investment

had been small in relation to need, direct investment from the United States had reached a record total in 1951 and in the eighteen months ending 30 June 1952 it had amounted to nearly \$1 thousand million. The recent trend, moreover, had been for more diversified distribution of such investments. If the practices of American business had been such as to arouse suspicion abroad, they were not supported by the people nor the Government of the United States.

Among others, the representative of Sweden thought that capital-importing countries should try to create an atmosphere of confidence to encourage private capital investment and that protection against the risk of expropriation was necessary.

A number of representatives, among them those of the Philippines and Yugoslavia, stressed the importance of foreign private assistance to economic development. It was pointed out, among other things, that under-developed countries in supporting schemes for adequate financial assistance were not asking for charity but for an understanding of the dangers in a world half well fed and half hungry, half secure and half in ferment. While they agreed that every effort must be made by the under-developed countries themselves to expedite their own development, they could not do so without foreign assistance.

The representatives of the industrialized countries agreed that the investment of capital from abroad must not be regarded either as an act of charity or as a means of profiteering. Foreign private enterprise would play its part, the United States representative indicated, wherever countries were willing to encourage it; it was, however, no substitute for governmental investment or for the mobilization of local capital. Western Europe, the United States representative thought, must also take up again the role of a main source of development capital. That domestic capital must remain more important than external aid was also emphasized by, among others, the representatives of Mexico and New Zealand.

The representative of the USSR, supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, stated that real assistance to under-developed countries was dependent upon the end of the armaments race and the establishment of trade relations on a basis of equality of rights and of respect for the interests of all parties and for the sovereignty of States.

Effective economic development must promote national industries. Countries providing assistance must not be granted special privileges for the use of territories or manpower. The representative of Poland emphasized that most of the capital for economic development should come from domestic resources; foreign capital and technical assistance should play only a limited role.

The representatives of Australia, Canada, France, the United Kingdom and the United States, among others, pointed out that export trade was one of the main ways of financing development. Also, the terms of trade appeared likely to move in favour of countries producing raw materials.

Many of the representatives of the under-developed countries, however, thought that sharp drops in the prices of exports of raw materials had seriously upset the trade balance of the under-developed countries and that the need for more financial aid had been heightened by recent world trade and price trends. Among others, the representatives of Argentina, Chile, Cuba, Indonesia, Liberia and Pakistan considered that a reorientation of trade policies and tariffs in industrialized countries was needed in many cases if the efforts of under-developed countries to increase their production were not to be defeated. They pointed out, for example, that capital equipment could not be purchased from current export earnings. In this connexion, the representative of Argentina stressed the need for diversification of the economies of under-developed countries, which had hitherto been forced to rely on the production of raw materials. These representatives also expressed the view that it was necessary to establish minimum prices to protect the producer in under-developed countries, since raw material prices were too often fixed by importing rather than producing countries.

The representative of the USSR was of the opinion that the United States and other capitalist powers sought to retain under-developed countries as suppliers of raw materials and outlets for exports. The establishment of an international finance corporation would not alter the situation. The under-developed countries, he said, were debarred by trade agreements with the United States from the benefits of free and profitable trade with the USSR and the peoples' democracies. The USSR, he stated, was in a position to buy goods from the under-developed countries and to sell them the capital and other goods they needed. This view was also expressed by the rep-

representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR.

The representative of Ecuador considered the USSR offer vague. The USSR, he stated, could have proved its sincerity if it had made a practical proposal to buy goods from the under-developed countries at prices higher than those paid by the United States or other industrialized countries, or to sell them capital goods at prices lower than those quoted by the capitalist countries. The representative of Haiti stated that if the picture were really as dark as it was painted by the USSR and the representatives supporting that point of view the under-developed countries would not be asking in increasing numbers for United Nations and United States technical assistance, nor would they be contributing to the United Nations Expanded Programme. He, as well as the representatives of other under-developed countries, stressed that such countries had no intention of accepting dictation from any other country.

The importance of establishing a special fund for grants-in-aid was stressed by the representatives of Brazil, Chile, Cuba, Ecuador, Egypt, India, Iran, Pakistan, the Philippines and Saudi Arabia, among others. In particular, some of these representatives stated, such a fund was needed for financing non-self-liquidating projects. The representative of Iran considered that a general international investment code should be drawn up to prevent the fund from being hampered by bureaucratic routine. The Swedish representative suggested that, while plans for a fund were being studied, action could be taken to liberalize rules for granting financial and technical aid so as to increase the supply of equipment for pilot plants and demonstration projects; in that way financial assistance could be co-ordinated with the technical assistance programmes.

The establishment of an international finance corporation was supported by the representatives of Brazil, Colombia, Ecuador, Egypt, Haiti, India, Iran, Pakistan and the Philippines, among others. The representative of Ecuador considered that this should be given priority and the representative of India stated that his Government would tentatively undertake now to subscribe to the corporation. The creation of the corporation, the representative of Iran considered, would help create a favourable climate for the investment of foreign capital. The corporation, the Brazilian representative stressed, should be supplementary to the proposed special fund; it should supplement, not replace, private capital, the representative of Egypt stated.

All sources of capital should be utilized, the representatives of India and Peru emphasized; international bodies, however, provided the most suitable source of financial aid since they obviated possible dangers from expropriation or monopolistic practices. The representatives of Brazil and Costa Rica, among others, again stressed that it was unrealistic to rely on private capital—either foreign or domestic—to finance public utilities.

(b) FINANCING OF ECONOMIC DEVELOPMENT

The Committee had before it the following draft resolutions²¹ concerning the financing of economic development of under-developed countries:

A draft resolution submitted by Chile (A/C.2/L.154 and Corr.1) would have the Assembly:

(i) note with appreciation that the Secretary-General had prepared a working paper (E/2234) on the establishment of a special fund for grants-in-aid and for low-interest, long-term loans to under-developed countries;

(ii) note also that the Economic and Social Council had been unable to submit to the Assembly at its seventh session a detailed plan for such a fund and that, under its resolution 416 A (XIV), it had established a committee to complete a draft of a detailed plan not later than 1 March 1953;

(iii) request the Council to submit a detailed plan to the Assembly at its eighth session, keeping in mind that it was necessary to give special attention to the problem of international financing of economic and social development through international co-operation within the framework of the United Nations; and

(iv) request the Secretary-General to place before the committee appointed by the Council the records of the Assembly's discussion at its seventh session.

An amendment to this draft resolution was submitted by Brazil (A/C.2/L.157). Its purpose was:

(i) to stress the importance of Articles 55 and 56 of the Charter;²²

(ii) to recall that the Council had already recognized certain needs and to that end to establish a special fund; and

(iii) to provide a means of setting up the special fund within a year at the latest.

A draft resolution submitted by Brazil (A/C.2/L.159) would have the Assembly:

(i) approve the action taken by the Council in its resolution 416 C (XIV) concerning the question of the establishment of an international finance corporation; and

(ii) request the Secretary-General to place at the disposal of the International Bank for Reconstruction

²¹ For draft resolutions submitted in connexion with this agenda item relating to (1) primary commodities and (2) migration, see below.

²² See p. 15.

and Development the records of the discussion of this matter at the Assembly's seventh session.

A joint draft resolution submitted by Egypt, Iraq, Lebanon and Saudi Arabia (A/C.2/L.161) would have the Assembly:

(i) request the Secretary-General to include in an early future world economic report an analysis of the international flow of private capital;

(ii) request the Council to give attention at an early session to the question of private foreign investment, particularly the adequacy of its flow into under-developed countries and the steps which might stimulate such flow; and

(iii) request the International Bank to expedite its examination and preparation of a final report on the establishment of an international finance corporation in conformity with Council resolution 416 C (XIV) so that the Council could be informed during 1953.

A draft resolution submitted by Cuba (A/C.2/L.163) would have the Assembly:

(i) request the Council to give effect during 1953 to the operative part of General Assembly resolution 520(VI) concerning a special fund for grants-in-aid and for low-interest, long-term loans to under-developed countries and to submit to the Assembly at its eighth session all the materials concerning the establishment of such a fund, as well as those concerning the establishment of the international finance corporation referred to in Council resolution 416 C (XIV); and

(ii) propose the inclusion in the agenda of the Assembly's eighth session of the items concerning the establishment of the special fund and of the international finance corporation with a view to ascertaining, inter alia, the desirability of convening a conference of the governments concerned regarding these matters.

The Committee, at its 213th meeting on 17 November, established a working group to draft a resolution embodying the substance of the four proposals and the amendment. The working group, consisting of the representatives of Brazil, Chile, Costa Rica, Cuba, Denmark, Egypt, India, the Netherlands, Pakistan, Saudi Arabia, the United Kingdom and the United States, met on 17 and 18 November. They unanimously recommended (A/C.2/L.170) a draft resolution consisting of three parts (A, B and C) dealing respectively with:

(i) the establishment of a special fund for grants-in-aid and long-term, low-interest loans for the economic development of under-developed countries; (ii) the establishment of an international finance corporation; and (iii) the stimulation of the international flow of private capital for the economic development of under-developed countries.

The original draft resolutions and the amendment which had been referred to the working group were then withdrawn by the sponsors.

The joint draft resolution was discussed at the Committee's 214th and 215th meetings on 19 and 20 November. An amendment by Guatemala (A/C.2/L.172) to add, at the end of the last

part of the draft resolution, a sentence to state that the flow of private capital to under-developed countries should be stimulated "so that it may effectively contribute to the harmonious and adequate integration of their economies and to their economic and social development" was adopted at the Committee's 215th meeting by 44 votes to none, with 7 abstentions. Parts A and B of the draft resolution were each adopted by 46 votes to none, with 5 abstentions, and part C, as amended, by 45 votes to none, with 6 abstentions (A/2332(II)) (see below for text).

(c) **QUESTION OF THE ESTABLISHMENT OF FAIR PRICES FOR PRIMARY COMMODITIES**

The Second Committee also had before it at its 214th to 222nd meetings from 19 to 29 November a draft resolution by Argentina (A/C.2/L.162 and Corr. 1 and 2) on financing of economic development through the establishment of fair and equitable international prices for primary commodities and through the execution of national programmes of integrated economic development. The operative part of this draft resolution provided that the General Assembly should recommend to Member States that:

"4. ... (a) Whenever governments adopt measures affecting the prices of primary commodities entering international trade, they should duly consider the effect of such measures on the terms of trade of countries in the process of development, in order to ensure that the prices of primary commodities remain in an adequate, just and equitable relation to the prices of capital goods and other manufactured articles so as to permit the more satisfactory formation of domestic savings in the countries in the process of development and to facilitate the establishment of just wage levels for the working population of these countries with a view to reducing the existing disparity between their standards of living and those in the highly industrialized countries;

"(b) Their governments should refrain, unless unavoidably required by national security in times of war and without prejudice to technological research and progress, from encouraging the production of any synthetic or substitute materials that unnecessarily affect the international demand for natural primary commodities;

"(c) Their governments should intensify their efforts to reduce restrictions on imports of primary commodities."

It would also recommend that countries in the process of development should give effect to national programmes of integrated economic development conducive to the rational utilization of the proceeds of their primary activities, the absorption of their surplus active population and the improvement of their standards of living.

The draft resolution would also ask the Secretary-General:

(i) to include in the study being prepared in compliance with Council resolution 427 (XIV) an estimate of the financial repercussions which changes in the terms of trade in primary commodities and capital goods and other manufactured articles produce on the national income of countries in the process of development and an analysis of the distribution of that income; and (ii) to appoint a small group of experts of recognized authority to prepare, during 1953, a report on practical measures which might be adopted pursuant to the recommendations contained in the draft resolution, the report to be issued on the responsibility of the group of experts and to be transmitted to the members of the Economic and Social Council.

A number of representatives, among them those of Australia, Belgium, Canada, China, France, the Union of South Africa, the United Kingdom and the United States, while to some extent agreeing in principle with the draft resolution, opposed it on practical grounds as too general in scope and open to dangerous interpretations.

Among their objections were:

(1) that a system of international parity prices such as that implied in the draft could not be instituted unless foreign trade were controlled by the State; (2) that such a system would make the economic structure more rigid and would not be conducive to increased productivity; (3) that there were no objective criteria for determining an "adequate, just and equitable" relationship between prices of primary commodities and those of capital and other manufactured goods; and (4) that it would be better to deal with the problem through individual commodity agreements as the need arose.

They also objected to the recommendation that governments should not encourage the manufacture of synthetic or substitute materials. Such action, they held, would harm the interests of both under-developed and industrialized countries; it would also stand in the way of progress, from which all, in the long run, would benefit. The latter point was also made by the representatives of Cuba, Ecuador and Peru.

The draft resolution was supported, with certain minor changes, by Bolivia, Burma, Chile, Colombia, Indonesia and Mexico. At the 219th meeting of the Committee on 25 November the representative of Argentina presented a revised text (A/C.2/L.162/Rev.2) in which he had incorporated the substance of the following amendments:

A joint amendment by Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua which, in its revised form (A/C.2/L.169/Rev.1), in addition to minor changes in the preamble, proposed to add a paragraph recommending that governments conclude international agreements relating to primary commodities for the purpose of: (i) ensuring the stability of prices of these commodities in keeping with a reasonable, fair and equitable relationship between these prices and

those of capital goods and other manufactured articles; and (ii) of safeguarding the continuity of the programmes of economic and social development of the countries which produce such raw materials. (The sponsors of this amendment had previously accepted two amendments by Indonesia (A/C.2/L.176): (i) to recommend that governments "co-operate in establishing multilateral arrangements" instead of "conclude international agreements" and (ii) to make clear that consumer as well as producer countries would benefit from the stability of prices of primary products.)

Amendments by Indonesia (A/C.2/L.175) which would: (i) recommend that governments study all factors causing fluctuation in terms of trade; (ii) indicate in more general terms the impact of price and terms of trade fluctuations on economic life; and (iii) indicate that price fluctuations might affect the implementation of economic development and terms of trade, but would not do so automatically.

An amendment by Chile (A/C.2/L.174) to add a paragraph concerning the transmittal of the records of the discussion on the item to the group of experts provided for in the draft resolution.

A Brazilian amendment (A/C.2/L.177) designed primarily to clarify the text and to make a distinction between "cyclical fluctuations in the prices of individual primary commodities and secular movements in their value as a group in terms of manufactured

The representatives of Chile, Costa Rica, the Dominican Republic, Egypt, Liberia, the USSR and Yugoslavia, among others, supported the draft resolution thus revised.

The representative of France considered that the revised draft resolution called on certain governments for a commitment too general in scope for it to be acceptable; he therefore submitted a series of amendments (A/C.2/L.179) aimed at reaching a compromise solution. These proposed, among other things, deletion of the reference to the establishment of relationships between the prices of primary commodities and of capital and other manufactured goods.

This amendment, as well as a Greek amendment (A/C.2/L.173) which would call on governments to consider concluding intergovernmental agreements for individual commodities, was withdrawn following the presentation of an eleven-power joint amendment (A/C.2/L.181 and Corr.1) drawn up by an unofficial working group. This group, set up on 26 November, was composed of Australia, Belgium, Canada, Denmark, France, Greece, the Netherlands, New Zealand, Norway, Sweden and the United Kingdom.

The representative of Argentina stated that he had no objection to the first two amendments which were concerned with form. However, he considered the rest unacceptable since, in his opinion, they were inconsistent with the spirit of the resolution and in some instances intro-

duced totally new ideas. The following amendments of the joint proposal were voted on at the 222nd meeting of the Committee on 29 November and rejected as follows:

(i) By 20 votes to 20, with 11 abstentions, an amendment to specify that continuing attention ought to be given to the effects of cyclical fluctuations rather than special attention to the correction of maladjustments resulting from cyclical fluctuations.

(ii) By a roll-call vote of 30 to 16, with 8 abstentions, an amendment to state that short-run fluctuations in the prices of primary commodities might (rather than did) affect terms of trade, and that any deterioration in the terms of trade might (rather than did) hamper the formation of domestic savings and the acquisition of external means of payment.

(iii) By a roll-call vote of 31 to 15, with 8 abstentions, to replace paragraph (f) (see below) with a provision to state that the implementation of integrated economic development programmes could be facilitated by encouraging savings in both highly industrialized countries and those in the process of development, and by making such savings available for economic development.

(iv) By a roll-call vote of 22 to 19, with 13 abstentions, a new paragraph to specify that one of the objectives of such programmes is to facilitate the establishment of just living wage levels for the working populations with a view to reducing disparities between their standards of living and those of highly industrialized countries.

(v) By a roll-call vote of 32 to 16, with 7 abstentions, an amendment to delete the paragraph concerning price relationships (paragraph I(a) as adopted, see below) and to recommend instead that, whenever governments contemplate measures designed to influence the prices of primary commodities entering international trade, they should duly consider how they might minimize any possible adverse effects which such measures might have on the terms of trade of countries in the process of development, particularly the ability of those countries to finance the purchasing of capital goods and other manufactured articles.

(vi) By a roll-call vote of 35 to 16, with 4 abstentions, a proposal to delete the paragraph referring to other aspects of undue fluctuations (paragraph 1(b) as adopted, see below).

(vii) By a roll-call vote of 29 to 16, with 10 abstentions, an amendment to replace the recommendations to governments concerning the establishment of multilateral international agreements (paragraph 2 as adopted, see below), with a paragraph recommending that, without prejudice to the principle specified in amendment (v) (see above), governments should give serious consideration to all other aspects of the problem of undue fluctuations in the terms of trade, including the possibility of co-operating in the establishment of multilateral agreements relating to individual primary commodities.

In view of the acceptance of the Indian amendment (A/C.2/L.182) (see below), the sponsors withdrew a proposal that the Secretary-General should study the impact of selected synthetic products on the demand for natural primary products entering international trade.

An amendment by Denmark, Norway and Sweden (A/C.2/L.180) which would refer the problems raised in the draft resolution to the Council instead of to a group of experts was rejected by 27 votes to 17, with 7 abstentions.

An amendment by Brazil (A/C.2/L.183) recommending that governments co-operate in establishing multilateral as well as bilateral arrangements for individual primary products and for groups of primary commodities and manufactured goods was adopted by roll call by 27 votes to 13, with 15 abstentions.

The representative of Argentina accepted an oral clarifying amendment by Indonesia and an Indian amendment (A/C.2/L.182) to delete the reference to the production of synthetic materials and call instead for a study of the subject. The Indian amendment was subsequently voted on and adopted by 36 votes to none, with 18 abstentions.

The draft resolution (A/C.2/L.162/Rev.2), as amended, was adopted at the Committee's 222nd meeting in paragraph-by-paragraph votes ranging from 29 to 14, with 11 abstentions, to 41 to none, with 13 abstentions.

The draft resolution as a whole was adopted (A/2332(III)) by a roll-call vote of 29 to 16, with 9 abstentions. (For text see below.)

(2) Consideration by the fifth Committee

The Fifth Committee, at its 372nd meeting held on 10 December 1952, considered the financial implications of the resolution proposed by the Second Committee concerning the financing of economic development through the establishment of fair and equitable international prices for primary commodities and through the execution of national programmes of integrated economic development (A/2332(III), see above). It had before it a statement of estimated financial implications prepared by the Secretary-General (A/C.5/532), together with a report from the Advisory Committee on Administrative and Budgetary Questions (A/2299).

According to the estimates submitted by the Secretary-General, \$13,100 would be required in 1953 and \$1,050 in 1954. However, he would only request a supplementary provision of \$11,000 for 1953 to cover travel and subsistence of the experts to be appointed, since the printing costs could be absorbed within the amount already approved. Should it prove necessary to pay fees to some of the experts, the Secretary-General would try to absorb the additional cost within the proper section of the budget. In the event of there being

no funds available within this section he would ask the Advisory Committee to consider transferring funds from another section.

The Advisory Committee, in its report, recommended a reduction of \$1,750 on the ground that a period of six weeks, instead of eight weeks on which the Secretary-General's estimate had been based, constituted, in its opinion, the maximum time which "experts of recognized authority" would conveniently devote to work outside their normal duties.

Several representatives, among them those of Argentina and Brazil, questioned whether the work to be undertaken by the experts could be satisfactorily completed within the shorter period recommended, and therefore considered that the estimates as submitted by the Secretary-General should be maintained. Other representatives, among them the representative of the United States, were of the opinion that, given adequate preparatory work on the part of the Secretariat, the experts should have no serious difficulty in completing their assignment within a six-week period. An assurance was given on behalf of the Secretary-General that, should the six-week period prove inadequate, every effort would be made to find such additional funds as might be required within the total for section 3, failing which the Advisory Committee could, no doubt, be relied upon to give sympathetic consideration to any necessary transfer of funds from other sections of the budget.

Subject to this understanding, the Fifth Committee, on the proposal of the Chairman, decided by 14 votes to 9, with 15 abstentions, to inform the Assembly that adoption of draft resolution III proposed by the Second Committee would involve a supplementary appropriation of \$9,250 (A/2338).

(3) Resolutions Adopted by the General Assembly

The General Assembly considered the report of its Second Committee (A/2332) at its 411th plenary meeting on 21 December 1952. It also had before it the report of the Fifth Committee on the financial implications of resolution A/2332 (III). Sections A and B of the draft resolution on financing, as proposed by the Second Committee (A/2332 (II)), were each adopted by 52 votes to none, with 5 abstentions, and Section C by 50 votes to none, with 6 abstentions (resolution 622 (VII)). The representative of the USSR explained his abstention on the basis of views he had expressed in the Committee. The representatives of Colombia and Saudi Arabia stated that they would vote for the resolutions.

Following the adoption by 34 votes to 3, with 16 abstentions, of the paragraph referring to a study of synthetic substances, the draft resolution concerning financing through the establishment of price parities and national programmes of integrated economic development (A/2332 (III)) was adopted, as a whole, by a roll-call vote of 35 to 15, with 9 abstentions (resolution 623 (VII)) as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Israel, Liberia, Mexico, Nicaragua, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Sweden, Union of South Africa, United Kingdom, United States.

Abstaining: Byelorussian SSR, China, Czechoslovakia, Greece, Haiti, Poland, Turkey, Ukrainian SSR, USSR.

The representatives of Argentina, France, Indonesia and the United Kingdom, in explaining their votes, expressed views similar to those they had already put forward in the Committee. The representative of Saudi Arabia considered that the resolution would result in positive benefits and therefore voted in its favour. The USSR representative stated that, while he supported those proposals designed to promote the development of a national and independent economy and of civilian industry in the under-developed countries, he had abstained on the resolution as a whole.

The resolution adopted by the Assembly read:

"The General Assembly,

"Taking into account the relevant passage of General Assembly resolutions 307(IV), 403(V), 404(V), 521(VI) and 523(VI), of Economic and Social Council resolutions 341(XII), 416 F(XIV) and 427(XIV), as well as the suggestions of the group of experts appointed in pursuance of Council resolution 290(XI),

"Recognizing that the problem of financing the economic development of countries in the process of development is fundamental to the maintenance of the peace of mankind, and that, therefore, high priority should be given to the consideration of its practical solution in international economic relations,

"Considering:

"(a) That the urgent and satisfactory solution of this problem requires the full utilization of all sources of financing, among which the ability to obtain adequate and stable proceeds from exports is one of the most important for all under-developed countries,

"(b) That, in formulating measures for financing economic development, consideration should be given to the influence on their economic development of the terms of trade of the countries supplying primary commodities,

"(c) That, without prejudice to the international and national measures already recommended for financing economic development, special attention should be given to the correction of maladjustments resulting from cyclical fluctuations in the prices of individual primary commodities and from secular movements in their value as a group in terms of manufactured goods,

"(d) That the economic prosperity of countries in the process of development is especially vulnerable to wide short-term fluctuations in the prices of primary commodities which affect their terms of trade, and that any deterioration in the terms of trade affects the economic development and monetary equilibrium of these countries and so hampers not only the acquisition of the necessary amounts of external means of payment but also the formation of sufficient domestic savings,

"(e) That the implementation of plans of integrated economic development contributes to the mitigation of the consequences of such fluctuations or of any deterioration in the terms of trade,

"(f) That in order to make such programmes possible it is necessary both for the highly industrialized nations and for the nations in the process of development to encourage the formation of appropriate domestic savings in the latter,

"1. Recommends to Member States that:

"(a) Whenever governments adopt measures affecting the prices of primary commodities entering international trade, they should duly consider the effect of such measures on the terms of trade of countries in the process of development, in order to ensure that the prices of primary commodities are kept in an adequate, just and equitable relation to the prices of capital goods and other manufactured articles so as to permit the more satisfactory formation of domestic savings in the countries in the process of development and to facilitate the establishment of fair wage levels for the working populations of these countries with a view to reducing the existing disparity between their standards of living and those in the highly industrialized countries;

"(b) Without prejudice to the recommendation contained in sub-paragraph (a) above, their governments should give serious consideration to all other aspects of the problem of undue fluctuations in the terms of trade;

"(c) Their governments should intensify their efforts to reduce restrictions on imports of primary commodities;

"2. Recommends that governments co-operate in establishing multilateral as well as bilateral international agreements or arrangements relating to individual primary commodities as well as to groups of primary commodities and manufactured goods, for the purpose of:

"(a) Ensuring the stability of the prices of the said commodities in keeping with an adequate, just and equitable relationship between these prices and those of capital goods and other manufactured articles;

"(b) Safeguarding the continuity of the economic and social progress of all countries, those producing as well as those consuming raw materials;

"3. Recommends that the countries in the process of development should adopt and give effect to national programmes of integrated economic development conducive to the rational utilization of the proceeds of

their primary activities, the absorption of their surplus active population and the improvement of their standards of living;

"4. Requests the Secretary-General to include in the study being prepared in compliance with Economic and Social Council resolution 427 (XIV) an estimate of the financial repercussions which changes in the terms of trade between primary commodities and capital goods and other manufactured articles produce on the national incomes of countries in the process of development, and an analysis of the distribution of those incomes;

"5. Further requests the Secretary-General to prepare, for submission to the Economic and Social Council and to the General Assembly, a study on the impact of important synthetic products on the demand for natural primary products entering international trade;

"6. Further requests the Secretary-General to appoint a small group of experts of recognized authority on the subject to prepare, during 1953, a report on such practical measures as it may be advisable to adopt pursuant to the recommendations contained in sub-paragraphs (a) and (b) of paragraph 1, and in paragraphs 2 and 3 of the present resolution, the report to be issued on the responsibility of the group of experts and to be transmitted to the General Assembly together with the Economic and Social Council's views thereon;

"7. Further requests the Secretary-General to place at the disposal of the group of experts mentioned in the preceding paragraph the records of the discussions on this item during the seventh session of the General Assembly."

3. Land Reform

The question of land reform was considered by the General Assembly during the Second Committee's general debate on economic development at its 195th to 209th meetings from 23 October to 12 November and specifically at the Committee's 224th to 230th meetings from 1 to 5 December, and at the Assembly's 411th plenary meeting on 21 December 1952.

The Committee had before it a progress report (A/2194) by the Secretary-General describing the work undertaken in connexion with land reform by the Secretariat and by ILO, FAO and UNESCO in accordance with Assembly resolutions 401(V) and 524(VI)²³ and Council resolution 370(XIII).²⁴ He reported that, among other things, a study on the role of co-operatives in agriculture and one on agricultural fiscal problems had been initiated. For the information of members of the Assembly, the Secretary-General also transmitted (A/2194/Add.1) the text of the land reform questionnaire which had been drawn up by the Secretariat in co-operation with the special-

²³ See Y.U.N., 1950, pp. 461-62 and 1951, pp. 410-11.

²⁴ See Y.U.N., 1951, pp. 407-409.

ized agencies concerned, and sent to governments for reply by 1 June 1953. The questionnaire was designed to obtain information on progress in land reforms, including legislation and other measures, and on obstacles to the adoption of such measures, and any suggestions that governments might have concerning international action to promote land reforms.

During the debate, many representatives outlined the steps their governments had taken to bring about land reforms.

The majority agreed that land reform was one of the most important links in the chain of economic development and of primary importance in the achievement of a better world. It was also generally agreed that land reform was one means of increasing food production. In this connexion, the representative of FAO pointed out that if land reform were ill-considered or badly co-ordinated with technical assistance, it could result in decreased production. Moreover, the question needed to be linked with the provision of rural credit. A credit system aimed at helping small cultivators improve their farms would bring about a substantial improvement in rural economic and social conditions, as would the establishment of co-operatives for marketing agricultural produce.

Among others, the representatives of France and the United States urged that full use be made of technical assistance offered by the United Nations. The representative of France also stated that, in his opinion, the International Bank should find means of placing its technical and financial assistance at the disposal of governments for the purpose of encouraging investment in agricultural development.

The representatives of Egypt, Guatemala, Iran, Pakistan, Mexico and Syria emphasized that the existing agrarian systems in many countries were the chief cause of low productivity and consequent low standards of living.

Among others, the representatives of Chile, Cuba, Iran, Peru, the Philippines, Syria and Yugoslavia stressed that land reform was considered by the under-developed countries as an integral part of their economic development. Such reform should, they held, be so carried out as to ensure that land was employed fairly from the social point of view and must not be limited to the redistribution of land. The solution varied from country to country, but in most instances special financial resources were urgently needed. Land distribution, unless accompanied by financial and technical help, they also agreed, might even be detrimental to the level of production.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR held that, despite allegations that radical changes had taken place in the last two years, the problem remained the same. There was a general scarcity of statistical data on agrarian relations in the under-developed countries, but the figures available amply demonstrated the anachronistic conditions of land tenure and the continued harmful influence of foreign imperialists who used those conditions for their own aggrandizement and profit. Highest priority should be given to land reform, and if any real progress was to be achieved countries must implement immediately Assembly resolution 524(VI) on the subject. In instituting measures of land reform it was, moreover, necessary to bear in mind the needs of landless peasants and small holders who were struggling to regain land seized by foreign monopolies and who were demanding the institution of credit systems, the provision of fertilizers and equipment and the establishment of co-operatives to enable them to market their goods.

The Committee had before it two proposals:

(1) a draft resolution on land reform submitted by Pakistan (A/C.2/L.158/Rev.1) and (2) a draft resolution on land reform and development of arid land and water resources submitted jointly by Egypt, India and Indonesia (A/C.2/L.160). However, at the 225th meeting on 2 December, Egypt, India and Indonesia submitted a revision of their joint proposal. This revision (A./C.2/L.160/Rev.1) modified the original proposal in such a manner as to confine it to land reform. It also deleted the last operative paragraph which had requested the Council to submit a progress report to each session of the Assembly.

The majority of the Committee supported the draft resolution on land reform submitted by Pakistan (A/C.2/L.158/Rev.1), the operative part of which recommended that governments include in their replies to the questionnaire information on financial implications of programmes, their capacity to finance them and the extent of financial assistance needed from outside. It also provided in the last operative paragraph that the committee of experts to be set up under Council resolution 416 A (XIV)²⁵ consider financing of land reform as one of the important fields of activity for the proposed special fund for grants-in-aid and for low-interest loans.

The representative of the United States did not think that detailed instructions should be given in connexion with the special fund at this stage. The representative of Australia suggested that the paragraph be amended to make it clear that the

²⁵ See pp.369-70.

committee of experts might study the feasibility of making land reform one of the fields of activity covered by the special fund. The representative of Pakistan agreed to this. He also accepted an amendment by China (A/C.2/L.186) and an oral amendment by Saudi Arabia, both of which were intended to clarify the resolution and bring it into closer conformity with the relevant Assembly resolutions.

The representatives of Poland and the USSR criticized the Pakistan draft resolution on the grounds that it failed to place sufficient emphasis on the urgent need for land reform and stressed only the financial implications of the problem. They, as well as the representatives of the Byelorussian SSR, Czechoslovakia and the Ukrainian SSR, considered that the draft implied that land reform could not be carried out without foreign financial assistance. The adoption of such a thesis, they held, might delay the current practical solution of the problem, especially in view of the current policies of the International Bank and the general influence of foreign capital in under-developed countries. However, they stated that they would not vote against the draft resolution because it did recognize the necessity of land reform.

Following a separate vote on the last operative paragraph, which was adopted, as amended, by 42 votes to none, with 9 abstentions, the draft resolution, as a whole, was adopted by the Committee at its 230th meeting on 5 December by 47 votes to none, with 5 abstentions (A/2332 (V) A, see below for text).

The joint proposal (A/C.2/L.160/Rev.1) on land reform was also supported by the majority of the Committee. The representative of Poland stated that he would support it on the grounds that it contained a just appraisal of the current state of agricultural production in under-developed countries and represented an attempt to solve the problem of enlarging the area under cultivation. The sponsors of the draft resolution accepted a United States amendment (A/C.2/L.187) to add a paragraph on education and publicity. The joint draft resolution, as amended, was adopted unanimously (A/2332 (V) B) at the 230th meeting (see below for text).

At its 411th plenary meeting on 21 December 1952, the General Assembly adopted both draft resolutions proposed by the Second Committee. The draft originally proposed by Pakistan was adopted by 53 votes to none, with 5 abstentions, as resolution 625 A (VII). The second draft resolution, originally proposed jointly by Egypt, India

and Indonesia, was adopted unanimously (625 B (VII)), as a whole, following the adoption by 53 votes to 5 of sub-paragraph (a) of the third paragraph of the preamble. The Czechoslovak representative, explaining his vote in favour of the second resolution, as a whole, criticized this paragraph as erroneously implying that population growth was the cause of the current unsatisfactory situation.

The two resolutions read:

"The General Assembly,

"Taking note of the Secretary-General's progress report on land reform prepared pursuant to General Assembly resolution 524(VI) of 12 January 1952,

"Noting with satisfaction the activities of the regional economic commissions and of the specialized agencies in promoting land reform and in preparing studies and analyses of the various aspects of land reform,

"Recalling the belief expressed in General Assembly resolution 524(VI) that rapid improvements in existing agrarian structures and land tenure systems in many under-developed countries require large-scale financial outlays,

"Recalling also that General Assembly resolution 524 (VI) urged the governments of Member States to consider making funds available for projects of agrarian reform and invited the institutions providing international loans to give sympathetic consideration to loan applications from under-developed countries for development projects which are designed to implement their programmes of agrarian reform including projects designed to bring new lands under agricultural cultivation, and invited these institutions, consistent with their maintenance as self-supporting entities, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries,

"Recalling the terms of reference of a committee of experts to be set up under Economic and Social Council resolution 416 A (XIV) of 23 June 1952 to prepare a detailed plan for establishing a special fund for grants-in-aid and for low-interest, long-term loans to under-developed countries for the purpose of helping them, at their request, to accelerate their economic development and to finance non-self-liquidating projects which are basic to their economic development,

"1. Recommends that governments include in their replies to the Secretary-General's questionnaire on land reform relevant information on the financial implications of their programmes of agrarian reform and their development projects designed to implement such programmes, on their capacity to finance such programmes internally and on the extent of financial assistance needed from outside, so as to enable the Secretary-General to consolidate, analyse and incorporate the information so received in his report to the Economic and Social Council to be submitted under paragraph 8 of Economic and Social Council resolution 370(XIII) of 7 September 1951;

"2. Requests the committee of experts to be set up under Economic and Social Council resolution 416 A (XIV) to consider the feasibility of financing pro-

grammes of agrarian reform and development projects designed to implement programmes of agrarian reform as one of the important fields of activity for the proposed special fund for grants-in-aid and for low-interest, long-term loans."

B

"The General Assembly,

"Recalling its resolutions 401(V) and 524(VI) of 20 November 1950 and 12 January 1952 respectively and Economic and Social Council resolution 370 (XIII) of 7 September 1951 on land reform in under-developed countries,

"Taking note of the resolutions on land reform adopted by the Sixth Conference of the Food and Agriculture Organization of the United Nations,

"Considering:

"(a) That world food resources have increased less rapidly than world population so that in the world as a whole food consumption per capita is now less than it was fifteen years ago,

"(b) That the lack of land and the defective agrarian structure in several geographical areas of the world are among the factors preventing a rapid increase in agricultural production in those areas and that these factors consequently render more difficult attempts to overcome food crises and to raise the general standard of living, especially in the under-developed countries,

"Convinced:

"(a) That the expediting of the process of bringing new lands under cultivation and the rapid improvement of the agrarian structure and present land tenure systems raise serious technical or financial problems in several geographical areas,

"(b) That the isolated efforts of States Members of the United Nations to increase agricultural productivity and to bring new lands under cultivation would be more effective if they co-operated earnestly on a regional plane and if they took full advantage of available technical and financial assistance on the international plane,

"(c) That the governments of Member States and the specialized agencies should, in accordance with the recommendations contained in Economic and Social Council resolution 451 A (XIV) of 28 July 1952, make greater efforts, on the national and international plane, to grant high priority to the production and distribution of food in order to ensure a more rapid increase in the availability thereof and, by so doing, to reduce the effects of food crises by combating other natural and technical factors which lead to smaller harvests,

"1. Recommends that the governments of Member States take every possible step, on the national plane and, if appropriate, on a regional plane, to expedite the carrying out of their land reform programmes and, where appropriate, to bring new lands under cultivation and to increase their agricultural productivity, especially of foodstuffs, by following the recommendations and resolutions adopted by the General Assembly and by the Economic and Social Council on those questions;

"2. Invites the Secretary-General and the specialized agencies, in carrying out their studies and activities on the questions of land reform to place particular emphasis on:

"(a) The speeding up, at the request of the interested governments and according to the circumstances prevailing in different countries or regions, of such practical measures to encourage the promotion and the carrying out of their land reform programmes as:

"The convening of international and regional conferences on the development of natural resources, especially land resources, and on land administration,

"The organization of seminars on problems connected with the welfare and economic and social progress of rural populations in a country or in countries of a geographical region, and

"The setting up of regional centres for training experts in the several specialized fields relating to the improvement of agricultural structures;

"(b) Practical measures of technical assistance so as to increase agricultural output, especially of foodstuffs, to prevent the loss of, or decrease in, harvests of those foodstuffs and to improve production methods, increase sales and encourage equitable distribution;

"3. Reiterates paragraph 5 of General Assembly resolution 524(VI) which "Urges the governments of Member States, in working out their fiscal policies, to give active consideration to making funds available for projects of agrarian reform and invites the institutions providing international loans to give sympathetic consideration to loan applications from under-developed countries for development projects which are designed to implement their programmes of agrarian reform including projects designed to bring new lands under agricultural cultivation, and invites these institutions, consistent with their maintenance as self-supporting entities, to consider making any such loans on terms of interest and amortization designed to place the smallest feasible burden on the borrowing countries";

"4. Requests the Secretary-General to assist the governments of Member States, at their request, to give to the actions of the General Assembly and the Economic and Social Council with regard to the question of land reform the widest possible publicity among farm organizations and other interested persons or groups, in order to ensure that the policy recommendations of the United Nations shall be widely known and understood."

4. International Co-operation on Water Control and Utilization and the Development of Arid Land

The Economic and Social Council at its fourteenth session considered, jointly, the questions of international co-operation on water control and utilization and the development of arid land at its 581st, 582nd and 584th to 586th meetings from 27 May to 2 June 1952. It had before it two reports by the Secretary-General on these subjects.

The former (E/2205 and Corr.1 and Add.1), prepared at the request of the Council at its twelfth session (346(XII)),²⁶ outlined briefly

²⁶ See Y.U.N., 1951, p. 415.

the historical development of international organizations concerned with the expanding exploitation and safeguarding of water resources. It also contained summary accounts of the principal interests and activities of the United Nations and the specialized agencies in connexion with water control and utilization. The report concluded that, although a substantial volume of work was being undertaken on an international basis, there were not only deficiencies in the extent to which the main aspects of the subject were covered and in the amount of work devoted to particular regional problems, but there was also no continuing machinery for overseeing the entire field and for maintaining contact among the diverse and numerous organizations concerned.

The latter report (E/2191 and Add.1), prepared at the Assembly's request at its fifth session (402(V)),²⁷ described the principal activities of the United Nations and the specialized agencies in relation to the development of arid land, the technical and financial measures being employed for this purpose, and the co-ordination of these activities.

The Council also received for its information the Secretary-General's second report (E/2207) on specific plans and action taken regarding conservation and utilization of non-agricultural resources. The report dealt with the progress made in the study and inventory of iron ore resources and informed the Council of the plans for the study of coal and lignite resources in 1952.

The discussion in the Council emphasized the importance of effective control and utilization of water resources and the development of arid land to the economic development of various parts of the world, as well as to the increase in food production. The Council had before it a joint draft resolution by the Philippines and the United States (E/L.337) which would place upon the Secretary-General the responsibility for assuming leadership in bringing together the many scattered international interests, with a view to ensuring the multi-purpose development of water resources and for co-ordinating the activities of the various agencies responsible. The Secretary-General would also be requested, among other things, to promote the development of basic resources and the international exchange of information and experience and to report, in this connexion, on the activities relating to water resources of international and national organizations. On the basis of the proposal, an additional expenditure of \$15,600 was subsequently envisaged (E/L.348), but it was indicated that this could probably be absorbed in the budget of the department concerned, if the

work involved were postponed until the work currently in progress on other resources had been completed.

In introducing the joint draft resolution, the representative of the United States stressed the importance of ensuring the best possible use of water in both arid zones and areas of heavy rainfall.

The United Nations, he considered, should elaborate a policy for the development of water resources based on the concept of multi-purpose use, the objective being the realization of the greatest possible total of net benefits from the resources available, rivers, lakes, or underground water. The role of the United Nations should be to provide leadership, scientific and economic information, co-ordination and technical assistance. However, it was not the responsibility of the United Nations to send experts to every country to make comprehensive studies on the development of water resources. That, he considered, was the responsibility of governments themselves.

The United Kingdom representative stressed the need for recognizing the long-term aspects of development, and the competence of national authorities. There were, he felt, areas where governments might feel it necessary to introduce rather less ambitious projects for dealing with single aspects of water development. He considered that the most useful function that an international agency could provide at this time was that of information and co-ordination. This view was also held by the representatives of Canada and Argentina. The representatives of the United Kingdom and Canada considered it undesirable to set up at the present time a single organization to be continuously concerned with the problems of multi-purpose use of water resources on a world-wide scale; they thought that the problem could best be handled by governments with the assistance of already existing organizations.

The representative of the USSR said that States should carry out their own programmes and no conditions should be attached to the aid received from international organizations. He and the representative of Czechoslovakia considered that future reports to the Council on water resources should be broadened so as to give adequate attention to national efforts. The problem of arid land, these representatives also emphasized, was one of general economic development of any country, not just under-developed countries. It was

²⁷ See Y.U.N., 1950, p. 462.

essential to solve the problem bearing in mind the economic needs of the respective countries, the development of their economies, the increase in their production and the raising of living standards. The representative of Czechoslovakia considered the work undertaken thus far by international agencies unsatisfactory, since it was based on the question of productiveness of capital investment.

The representatives of FAO and UNESCO considered that the question of leadership in a particular project should in each case depend on the primary purpose in view. They also suggested that, in determining the most effective method of co-operation between international agencies in a given project, the Secretariat should take into account the views of the agencies concerned before submitting concrete proposals to the Council.

The representative of Canada, while in favour of the resolution, thought that it went rather far with regard both to the Secretary-General's power in relation to the specialized agencies and to the eventual financial implications of the proposal. He therefore submitted jointly with the representative of Belgium several amendments (E/L.341) designed to have a more limiting effect; the amendments proposed that the Secretary-General be asked to promote the co-ordination of existing activities in water control and arid land development rather than to provide leadership in the promotion of joint plans for international activity.

The representative of France considered the draft resolution incomplete and proposed (E/L.343) that it contain more specific reference to the need for continued attention to the development of arid land.

The representative of Pakistan stated that so far as international rivers were concerned, inter-governmental agreements were essential to ensure an equitable distribution of water between riparian countries. It would be useful, he proposed, if the Secretary-General could draw up a report on the question and if the Council could be asked to lay down the fundamental principles of international co-operation for the regulation, development and apportionment of water resources between riparian countries. However, he subsequently withdrew an amendment (E/L.345/Rev.1) to this effect, as well as one designed to ensure that the Secretary-General would prepare plans as a form of technical assistance for the development of water resources, if requested to do so. An amendment (E/L.350) by Canada to the latter amendment by Pakistan, which would have

provided that this assistance should be rendered within the framework of existing programmes, was also withdrawn.

At its 586th plenary meeting on 2 June the representatives of Belgium, Canada, France, the Philippines and the United States submitted a compromise draft resolution (E/L.337/Rev. 1 and Rev.1/Corr.1) which was adopted by 15 votes to none, with 3 abstentions, following the rejection by 4 votes to 4, with 10 abstentions, of a drafting change proposed orally by Pakistan.

Resolution 417 (XIV) read as follows:

"The Economic and Social Council,

"Having noted the reports by the Secretary-General entitled "International Co-operation on Water Control and Utilization", and "Development of Arid Land",

"Considering that effective use and control of water resources is important to economic development,

"Considering the great importance of effective use of available water resources in solving the problems presented by the development of the arid lands,

"Considering that optimum use of water usually requires that irrigation be combined with power development, flood control, navigation, municipal, industrial and other beneficial uses,

"Considering that range and watershed management, pollution control, development of fisheries, improved agricultural practices, and industrial development all go hand in hand with the development of water resources,

"Considering the possibilities of co-operation open to Member States with respect to the regulation and development of contiguous water resources,

"Considering that international organizations, both governmental and non-governmental, have been contributing and can increasingly contribute to the effective use and control of water resources by bringing to national and local projects and activities the accumulated pertinent knowledge and experience available on a world-wide basis,

"Considering that the activities of international organizations directed towards various aspects of water resources are closely interrelated and should be so planned that water resource development shall make its maximum contribution to the over-all economic development of each country, and

"Considering that the United Nations itself should assume responsibility for promoting co-operation among the several international organizations concerned with water resource development in order that the most effective results might be obtained from the financial and personnel resources available to them, and for identifying and programming to meet deficiencies in international activities in this field so that adequate attention might be given to important aspects and geographic areas which are being neglected,

"1. Requests the Secretary-General, in consultation with the specialized agencies and other organizations concerned:

"(a) To assume responsibility for the promotion and co-ordination of international activities concerning water

resource development and co-operative action among national authorities and international organizations in order to secure the maximum contribution to economic development through the effective development, control and use of water resources;

"(b) To promote the development of basic water resource data in furtherance of these objectives and in implementing Council resolution 345 (XII), and to promote international exchange of information and experience; and, in this connexion, to report on activities of international organizations and national authorities relating to water resources;

"(c) To prepare reports for the Council periodically on the progress of the activities relating to water resources which are being carried out by international organizations, the reports to include such recommendations as may be appropriate for the better co-ordination and balanced development of their activities;

"(d) To prepare recommendations to the Council for the promotion of international co-operation and activity in those fields and in those geographic areas which may not be adequately covered by international organizations, giving special attention to the problems of the interrelated aspects of water resource development; and

"(e) In carrying out the task entrusted to him:

"(i) To consider the suggestions of Member States;

"(ii) To secure the co-operation of the regional economic commissions in relation to those problems which are essentially regional in character;

"(iii) To seek the advice of experts as may be necessary;

"(iv) To collaborate with the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization and other specialized agencies concerned in their study of the problems presented by the arid zones;

"(v) To establish, through the Administrative Committee on Co-ordination and, as appropriate, the Technical Assistance Board, inter-agency arrangements for continuing consultation with the interested specialized agencies, and, where appropriate, with scientific and technical societies and other organizations having important responsibilities, experience or interest in fields related to water resources;

"2. Recommends that Member States, specialized agencies and other interested organizations co-operate with the Secretary-General in the execution of this programme; and

"3- Decides:

"(i) To keep the question of international co-operation with respect to water resource development under review;

"(ii) To place the question on the agenda of the appropriate session in 1954; and

"(iii) To continue to give careful attention to the work of the specialized agencies on the development of arid land."

During the discussion of land reform in the General Assembly,²⁸ a draft resolution on land reform and development of arid land and of water resources was proposed jointly by Egypt, India and Indonesia. However, it was subsequently revised in such a manner as to confine it to land reform.

5. Methods to Increase World Productivity

In resolution 522 (VI)²⁹ the General Assembly had stated that, to ensure more rapid economic progress of the world as a whole, closer international co-operation was needed to facilitate the best use of the world's manpower and natural resources, as well as its productive equipment, and that the raising of living standards required the rapid economic development of the under-developed countries. The Assembly had requested the Economic and Social Council to study ways in which productivity could be increased by applying existing scientific and technical knowledge. The Council was asked to recommend, as soon as practicable, methods by which the results of these studies could be made available to the under-developed countries at their request.

At its fourteenth session the Council had before it a working paper by the Secretary-General (E/2265) containing a brief account of the salient features found in current national programmes to increase productivity, as well as a number of suggestions for international action in this field. The working paper was limited to specific aspects of the problem of promoting productivity in industry through the more efficient use of existing machinery by such measures as the development of comparative productivity statistics, national campaigns to raise productivity, the establishment of productivity and development centres suited to the existing economic and social conditions of each country, the use of improved industrial methods and techniques, and the exchange and dissemination of scientific and technical information. It was suggested that, in view of the wide differences between human, natural and capital resources that existed between industrialized and under-developed countries, international action might be directed towards adapting existing technologies or developing new ones to meet the special needs of under-developed countries.

Reference was also made to the potentialities of the technical assistance provided by the United Nations and the specialized agencies. The Secretary-General suggested that the Council might wish to reiterate its previous recommendations to governments of under-developed countries that in the long run their national productivity depended upon the establishment of integrated programmes of economic development which look towards the

²⁸ See pp. 378-81.

²⁹ See Y.U.N., 1951, p. 417.

harmonious utilization of their resources in the interest of raising the living standards of their peoples.

The Council also had before it a paper prepared by ILO (E/2224) calling attention to the relevant parts of that organization's fifth and sixth reports and containing an account of its recent activities in the field of productivity. Among those activities were the provision of technical assistance for the training of supervisors, for vocational training, the improvement of working conditions, industrial safety and hygiene, and the organization of handicraft industries.

The Council considered the question at its 623rd, 629th, 634th and 638th plenary meetings on 27 June and 2, 8 and 10 July. It had before it a joint draft resolution (E/L.391) by Belgium, Canada, Pakistan and the Philippines recommending, *inter alia*, that governments of under-developed countries consider the raising of productivity as an integral part of their efforts to raise the level of their national production, and consider the establishment of national productivity centres. It would request the Secretary-General to continue to study the problem of raising productivity and to arrange, in collaboration with the specialized agencies, to prepare additional working papers on the subject.

Most members noted the Secretary-General's conclusions with satisfaction and emphasized the importance of adopting those techniques best suited to the circumstances of the countries concerned. The need for preparing working papers on agriculture, labour, mining, transport, construction industries and the distributive trades, as recommended by the Secretary-General, was also stressed by a number of representatives, among them those of France, Iran, Mexico and Sweden. An amendment (E/L.392) stressing the importance of a working paper on agriculture was submitted by France. Argentina proposed (E/L.394) that the Secretary-General, with a view to carrying out these studies, should seek the services of experts to investigate, in collaboration with technicians in under-developed areas, the obstacles encountered in the process of raising productivity and to recommend practical measures for overcoming such obstacles. The representative of Iran suggested that the Secretary-General should be asked to continue the examination of the conditions in which methods perfected in industrialized countries might be adopted by the under-developed countries.

The representative of Pakistan pointed out that one difficulty was that imported machines were of the most modern type and that under-

developed countries lacked workers who could make the best use of them. In this connexion he thought that industrialized countries should accept advice on the best methods of adapting such machinery to the needs and skills of the under-developed countries. He also stressed the difficulties raised by the inadequacy of power and the lack of spare parts. The United States representative pointed out that the application of existing technical knowledge to production processes in under-developed countries involved relatively small capital outlay, a factor particularly important for countries having difficulty in raising additional capital.

It was generally recognized that productivity centres, where management and labour groups could obtain the necessary technical information on ways of increasing productivity, could play an effective role. The representative of Sweden, however, stated that the task of these centres must be clearly defined if concrete results were to be achieved. The representative of Pakistan suggested that the Council might consider setting up a scientific liaison centre within the United Nations to keep under-developed countries informed of progress in the technical field. The representative of Iran suggested that capital exporting countries take appropriate measures to have foreign companies assist in the training of local technicians. The Council also generally agreed that visits of "productivity teams" could provide a significant means not only of transmitting the experience and knowledge of the more industrialized countries to less developed countries, but also of promoting understanding of the differing institutional settings within which the production process was carried on in the various countries.

Several representatives, among them those of Argentina and the Philippines, pointed out that the use of technical and scientific knowledge could not produce the desired results unless consideration were given to the social implications of technology and science. The representative of Argentina submitted an amendment (E/L.394) to ensure this consideration. It was also urged by the representative of France that regional economic commissions should give attention to problems of productivity common to their areas.

The representative of ILO, in describing his organization's recent activities in this field, stated that it had always sought to relate the question of methods of increasing productivity to those of securing an equitable distribution of the gains from higher productivity and of protecting the interests of workers who might be displaced as a result of measures taken to ensure it. The organi-

zation agreed with efforts to increase productivity as long as methods adopted were based on improved techniques and not on intensification of work which would bring about a greater exploitation of workers, a lowering of living standards and adverse effects on the workers' health. In his view, an improvement of productivity should be promoted by reform of the agrarian system and programmes for rational industrialization, based mainly on the development of heavy industry.

A revised joint draft resolution (E/L.407) was presented at the 638th plenary meeting on 10 July by Argentina, Belgium, Canada, Iran, Mexico, Pakistan and the Philippines, incorporating and superseding the amendments mentioned above, as well as a joint amendment by Iran, Mexico, Pakistan and the Philippines (E/L.397) to include a recommendation for action by the industrialized countries during periods of general shortages. The authors of the revised draft resolution took into consideration the desires of the representatives of the under-developed countries that maximum use be made of the Expanded Programme of technical assistance. Provision was also made to meet the criticism that insufficient consideration had been given to the human and social elements of productivity. The Swedish representative's view that the problem of productivity should be examined not only in the sphere of production but also in that of distribution was also taken into account.

The authors of the revised text accepted a French amendment (E/L.409) Providing that countries within the same region should co-operate, in particular, through their regional economic commissions or facilities available from the United Nations and the specialized agencies.

The revised draft resolution, as amended, was adopted (416 E (XIV)) at the same meeting by 15 votes to none, with 3 abstentions. It read as follows:

"The Economic and Social Council,

"Having considered General Assembly resolution 522 (VI) entitled "Methods to increase world productivity",

"Having taken note of the working paper on this subject prepared by the Secretary-General (E/2265) as well as the communication submitted by the International Labour Office (E/2224),

"Recognizing that the achievement of high levels of world productivity depends upon a world-wide increase in international trade on an equitable and stable basis, and upon the establishment by the under-developed countries of integrated programmes of economic and social development which look towards the harmonious utilization of the countries' resources in the interest of raising the living standards of their peoples, and that this, in turn, is closely dependent upon the fuller and

more efficient utilization in each of these countries of the indigenous human, natural, industrial and technological resources,

"Considering that countries in the same region are frequently faced with similar economic and social problems and that joint study and action in relation to these problems would be of mutual benefit to them,

"1. Recommends that governments of under-developed countries:

"(a) Consider the problems of raising productivity as an integral part of their efforts to raise the level of their national production through the promotion of general economic development designed to raise the living standards of their populations;

"(b) Consider, within the general context of promoting economic development, the establishment of national productivity centres, adapted to the economic and social conditions existing in their countries, so as to give special impetus to research and the dissemination of information concerning improved practices and techniques and to their practical application in the various fields of economic activity, keeping in mind the international technical assistance facilities available to them;

"2. Urges governments to take full advantage of the Expanded Programme of Technical Assistance through which the United Nations and the specialized agencies are prepared to assist them, at their request, not only in their efforts to develop general economic development programmes but also to improve the operation of their already existing productive apparatus;

"3. Recommends that, in the matter of raising productivity, countries within the same region should co-operate, in particular through their regional economic commissions or through the facilities available to them from the United Nations and the specialized agencies, by joint study of their common problems and, wherever possible, by joint action;

"4. Reaffirms its recommendation contained in paragraph 1 of resolution 341 (XII) and recommends to governments the promotion of the economic integration of international markets by the extension of foreign trade on a stable and equitable basis so as to contribute to increasing world productivity;

"5. Requests the Secretary-General, after consultation with the specialized agencies concerned, to arrange for the continuation of studies concerning the problems 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 dealing with the problem of raising productivity in relation to programmes for the expansion of production in these fields, as well as a working paper dealing with the role of labour in any programme for increasing productivity, particularly its participation in the framing, development and implementation of such programmes and methods for ensuring a fair reward for the human effort applied to increasing productivity and the extension of purchasing power to make the increase in productivity permanent; and

"6. Decides to place the question of methods to increase world productivity on the agenda of the appropriate session in 1953."

During the general debate in the Assembly's Second Committee at its 195th to 207th meetings

from 23 October to 12 November and later at its 239th meeting on 12 December 1952 several representatives expressed their views on measures to increase world productivity, the majority endorsing the Council's efforts in that direction.

The representative of Czechoslovakia stated that in his opinion two factors had to be taken into account—the means available for increasing productivity and the motives leading to such an increase. The ultimate aim should be the balanced development of a national economy and the raising of living standards of people as a whole. The motive animating imperialistic, monopolistic companies which controlled governments of the capitalistic countries was merely the desire to increase profits to the greatest possible extent. The representative of Yugoslavia hoped that in studies on the subject special attention would be given to conditions in under-developed areas. He stressed that it was erroneous to assume that the only method of expanding production was by increasing or placing greater demands on the labour force. Increased output depended equally on rationalized methods, some of which the workers themselves might discover.

6. General Aspects of Economic Development

a. EXPLOITATION OF NATURAL WEALTH AND RESOURCES

The question of the right of each country to nationalize and freely exploit its natural wealth was considered by the General Assembly during its general debate on economic development at the Second Committee's 195th to 209th meetings from 23 October to 12 November and, specifically, at the Committee's 231st to 238th meetings from 6 to 12 December and at the 411th plenary meetings on 21 December 1952.

(1) Consideration by the Second Committee

The Committee had before it a draft resolution by Uruguay (A/C.2/L.165 and Corr.1 to 3), the operative part of which would recommend that Member States respect the right of each country to nationalize and freely exploit its natural wealth as an essential factor of economic independence.

In introducing the draft resolution, the representative of Uruguay stated that the right of each nation to exploit its wealth freely was directly related to the problem of financing economic development. Foreign financing, in the form of aid, loans or private investments, was

a valuable and essential factor in the development of under-developed areas, but it was not the ideal solution. The ideal for an under-developed country was to attain economic independence, to dispose freely of its own resources, and to obtain foreign exchange by selling its own products to buyers of its own choice. Technical assistance, although valuable, was only a temporary solution. The purpose of the resolution, he said, was to affirm the need for protecting the populations of under-developed countries and for justifying their governments' desire to nationalize their natural resources.

The Bolivian representative, supported by the representative of Argentina, pointed out that, in the past, there had been no way of bringing to the attention of the international community the economic, political and social conditions of smaller countries confronted by powerful financial interests which controlled the main media of information. That stage had passed and the United Nations had become a forum by which the smaller and medium-sized countries could keep public opinion informed; this was particularly valuable in promoting respect for an international right. The representative of Bolivia proposed (A/C.2/L.166) that the operative part of the resolution be amended to recommend that Member States, in deference to the right of each country to nationalize wealth, should not use their governmental and administrative agencies as instruments of coercion or political or economic intervention.

It was generally agreed during the debate in the Committee that the right of a country to nationalize its natural resources, if it so desired, was a sovereign right recognized in international law and inalienable. Some representatives, among them those of Canada, China, Haiti, Honduras and Saudi Arabia, doubted that it was necessary to reaffirm this right. Moreover, to do so, they considered, might have the effect of weakening an implicit right possessed by all sovereign States. As an alternative, the representative of Honduras suggested, the Assembly might recommend that States respect the jurisdictional right of each Member State to protect its national sovereignty and to nationalize its property under appropriate conditions. The representatives of Iran and Mexico thought it might be useful to recommend that States should not exert political or economic pressure against a government that had exercised its right to nationalize its wealth. The Yugoslav representative held that there was no harm in reaffirming a right even if no State intended to violate it.

While agreeing with the principle involved in the draft resolution, the representatives of Australia, Belgium, Canada, Denmark, Haiti, Israel, the Netherlands, New Zealand, the Philippines and the United Kingdom, among others, were of the opinion that, if the United Nations were to affirm the right of a State to nationalize its wealth and resources, it might destroy the effectiveness of efforts to encourage foreign investments in under-developed countries, particularly if the United Nations did not, at the same time, stress the obligation of countries which nationalized their wealth to grant proper indemnity to the foreign interests affected.

The representatives of Chile, Ecuador, Mexico and Uruguay, among others, pointed out that their constitutions, as well as those of many other countries, provided for just compensation in the event of expropriation and that the resolution was not intended to alter this or to imply that such compensation was undesirable.

The representative of Syria believed that a resolution couched in moderate terms would not adversely affect investment in under-developed countries.

The representative of Poland denied charges made by Chile during the course of the debate that the countries in the "Soviet bloc" were carrying on a demagogic propaganda designed to worsen economic relations between the under-developed and the industrialized countries. The most cursory study of the actions of the delegations of the USSR and the peoples' democracies, he stated, showed that they had never failed to embark on any endeavour to promote real economic collaboration; the discussion of many problems, including that of the world economic situation, had been due to their initiative, he claimed.

The representatives of Haiti, Sweden, the Union of South Africa and the United Kingdom considered that the question of the nationalization of natural resources was essentially a matter of domestic jurisdiction and not within the competence of the United Nations. The representatives of the Union of South Africa and the United Kingdom also pointed out that the legislative bodies of all countries adopted laws regulating ownership and the use of property and that nationalization was only one form of controlling natural resources.

On the basis of the discussion, and taking into account the Bolivian amendment (A/C.2/L.166) which was withdrawn, the representatives of Bolivia and Uruguay submitted a joint revised draft resolution (A/C.2/L.165/Rev.1) at the Com-

mittee's 234th meeting on 9 December. The operative part of this draft would recommend that Member States

"maintain proper respect for the right of each country freely to use and exploit its natural wealth and resources as an indispensable factor in progress and economic development, and therefore to refrain from the use of any direct or indirect pressure such as might jeopardize, on the one hand, the execution of programmes of integrated economic development or the economic stability of the under-developed countries, or, on the other hand, mutual understanding and economic co-operation between the nations of the world."

The representatives of Argentina, Chile, Ecuador, Ethiopia, Guatemala, Poland, the USSR and Yugoslavia supported the joint revised draft resolution. The representatives of Ecuador and Ethiopia, however, were of the opinion that the corresponding principle of just and prior compensation ought to be included in the text to remove any apprehensions which might be felt by certain delegations. The representative of China, as well as the Ethiopian representative, thought that it might also be better to postpone further consideration of the question. The representative of Poland stated that, although the resolution had become merely an affirmation of already recognized principles, he nevertheless would vote for it. The New Zealand representative considered that the draft resolution was open to misinterpretation and would not assist in promoting economic development. The Canadian representative opposed it on the ground that it implied that centralized government planning of economic affairs was a necessity. In his opinion, a particular device could not be turned into a universal principle. Although approving the resolution in principle, the representative of Turkey thought the subject too difficult to be dealt with in the form of a simple resolution.

The representative of the Netherlands felt that if the purpose was to affirm the right to nationalize wealth and resources then the question should be considered by the Third Committee which was studying problems of self-determination. If the intention was to define or determine that right, then it was a legal matter and should be entrusted to a legal body. The Canadian representative stated that he thought it essentially a legal problem. The representatives of Denmark, France, the Philippines and Turkey thought that the Second Committee should wait until the Human Rights Commission had submitted to the Assembly the draft covenant on economic, social and cultural rights. The covenant, they pointed out, would include not only a declaration of economic rights, but provision for their implementation. The representative of Denmark, therefore, at the 236th

meeting on 10 December moved the adjournment of the debate on the revised joint draft resolution. This motion was rejected at the 237th meeting by a roll-call vote of 28 to 16, with 7 abstentions. However, a motion to take an immediate vote on the draft resolution was proposed by the representative of Saudi Arabia and adopted by 25 votes to 3, with 16 abstentions. In explaining his vote, the representative of the Union of South Africa later stated that there had not been sufficient time to consider the revised proposal and the amendments to it. He and a number of other representatives expressed regret that the debate had been closed so abruptly.

The Committee had before it a United States amendment (A/C.2/L.188) to substitute for the operative paragraph four new paragraphs which would have the Assembly:

(1) refer to the need to maintain mutual understanding and economic co-operation; (2) recommend proper respect for the right of a country to decide freely whether its natural wealth and resources could best be developed by private initiative or by government enterprise or by both; (3) recommend that when countries decided to exploit their natural wealth and resources, Member States should "refrain from consequential action of a nature contrary to the principles of international law and practices, and to the provisions of international agreements"; and (4) recommend that countries deciding to develop their natural wealth and resources refrain from action, on the same basis, against "the rights or interests of nationals of other Member States in the enterprise, skills, capital, arts or technology which they have supplied".

The first three paragraphs were adopted, by 34 votes to none, with 13 abstentions, 21 votes to 19, with 7 abstentions, and 20 votes to 18, with 8 abstentions, respectively. The last paragraph was rejected by a roll-call vote of 27 to 15, with 8 abstentions.

The sponsors of the draft resolution then accepted an amendment by India (A/C.2/L.189) substituting a new paragraph for the operative paragraph of the revised joint draft resolution. As amended, the resolution would recommend all Member States, in exercising their right freely to use and exploit their natural wealth and resources wherever they considered it desirable for their own progress and economic development, to have due regard, consistently with their sovereignty, to the need for maintaining mutual confidence and economic co-operation among nations. It would further recommend all Member States to refrain from acts, direct or indirect, designed to impede the exercise of the sovereignty of any State over its natural resources.

The United States amendment therefore automatically became an amendment to the Indian

proposal and a vote was taken on the adopted paragraphs as a whole. The amendment, as a whole, was rejected by a roll-call vote of 28 to 17, with 5 abstentions.

The revised draft resolution (A/C.2/L.165/Rev.1), as amended by India (A/C.2/L.189,) was adopted by a roll-call vote of 31 to 1, with 19 abstentions.

In explaining his vote against the resolution, the representative of the United States said that he considered the resolution unbalanced, since it failed to recognize any reciprocal responsibility towards private investors. This point, as well as those elaborated during the debate, were among the reasons given by the representatives of Australia, Belgium, France, the Netherlands, New Zealand and the Philippines in explaining their abstentions.

The representatives of Brazil, Colombia, Egypt, Iran, Indonesia, Pakistan, Saudi Arabia, Mexico and Yugoslavia supported the resolution giving, among others, the following reasons: (1) that it was a country's duty to consider the best interests of its people and it was useful to recommend that Members refrain from acts designed to impede the exercise of a State's sovereignty over its natural resources; and (2) that, in emphasizing the need for measures to promote understanding and co-operation among nations, the resolution was in line with the principles of the Charter and would encourage economic and social progress.

(2) Consideration by the General Assembly
in Plenary Session

The General Assembly considered the draft resolution (A/2332 (VI)) proposed by the Second Committee at its 411th plenary meeting on 21 December 1952. It also had before it an amendment by India (A/L.143) to the first operative paragraph of the draft which would recommend that States in the exercise of their right to exploit their natural wealth and resources have due regard for maintaining the flow of capital in conditions of security, confidence and economic co-operation among nations. The Indian representative stated, as had others in the Second Committee, that to ask for recognition of a right which was considered inherent in every State would imply the power to deny that right. He agreed, however, that there were certain broad considerations concerned with the conduct of nations which should be dealt with in general terms and thought this had been facilitated by the omission of the word "nationalization" from the final version of the draft resolution recommended by the Second Committee. Had this not been omitted, India would have

insisted on the inclusion of a provision for compensation, arbitration and the like. His Government had submitted an amendment in the Second Committee because it believed that under-developed countries, anxious to maintain the flow of private or public capital, had to maintain conditions of stability and security without which capital would not be forthcoming. His amendment, he explained, was designed to amplify and clarify this point further.

The representatives of Colombia, Costa Rica, and Saudi Arabia, among others, supported the amendment. In explaining their votes in favour of the resolution, the representatives of Colombia and Costa Rica declared that fears that the resolution was in any way directed against foreign firms were unfounded; the resolution emphasized the need for mutual confidence and international co-operation.

The representative of Haiti stated that he would abstain for reasons already expressed in the Second Committee.

The amendment by India was adopted by the General Assembly by a roll-call vote of 39 to 5, with 16 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Netherlands, Nicaragua, Pakistan, Panama, Paraguay, Saudi Arabia, Syria, Thailand, Turkey, Uruguay, Venezuela, Yemen.

Against: Byelorussian SSR, Czechoslovakia, Poland, Ukrainian SSR, USSR.

Abstaining: Australia, Belgium, China, Cuba, Denmark, Greece, Luxembourg, New Zealand, Norway, Peru, Philippines, Sweden, Union of South Africa, United Kingdom, United States, Yugoslavia.

The draft resolution, as a whole, as amended, was adopted as resolution 626 (VII) by a roll-call vote of 36 to 4, with 20 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, Colombia, Costa Rica, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Paraguay, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Uruguay, Yemen, Yugoslavia.

Against: New Zealand, Union of South Africa, United Kingdom, United States.

Abstaining: Australia, Belgium, Canada, China, Cuba, Denmark, France, Greece, Haiti, Iceland, Israel, Luxembourg, Netherlands, Nicaragua, Norway, Peru, Philippines, Sweden, Turkey, Venezuela.

The resolution read:

"The General Assembly,

"Bearing in mind the need for encouraging the under-developed countries in the proper use and exploitation of their natural wealth and resources,

"Considering that the economic development of the under-developed countries is one of the fundamental requisites for the strengthening of universal peace,

"Remembering that the right of peoples freely to use and exploit their natural wealth and resources is inherent in their sovereignty and is in accordance with the Purposes and Principles of the Charter of the United Nations,

"1. Recommends all Member States, in the exercise of their right freely to use and exploit their natural wealth and resources wherever deemed desirable by them for their own progress and economic development, to have due regard, consistently with their sovereignty, to the need for maintaining the flow of capital in conditions of security, mutual confidence and economic co-operation among nations;

"2. Further recommends all Member States to refrain from acts, direct or indirect, designed to impede the exercise of the sovereignty of any State over its natural resources."

b. INTEGRATED ECONOMIC DEVELOPMENT

In resolution 521 (VI)³⁰ the General Assembly requested the Economic and Social Council:

(1) to promote studies of a programme of rapid industrialization of under-developed countries, including the economic, social, fiscal, technical and organizational problems involved, and the role that the industrially advanced and the under-developed countries have to play in such a programme; and (2) to submit to the Assembly as soon as practicable concrete proposals for measures that may aid such countries in connexion with these problems.

During the discussion of this question, the Council at its 638th to 640th plenary meetings on 10 and 11 July 1952 had before it a proposal by Argentina (E/L.400) which would have the Council:

(1) recognize that a co-ordinated and integrated policy of economic development should make provision for industrial diversification with a view to ensuring the economic independence of the countries concerned and promoting the social well-being of their inhabitants; (2) recall Assembly resolution 519 A (VI) concerning technical assistance; (3) request the Secretary-General to appoint a small group of experts to prepare a report, for submission to the Council at its fifteenth session, containing recommendations on the concrete proposals referred to in General Assembly resolution 521 (VI); (4) ask the Secretary-General to continue his general and concrete studies of economic development of under-developed countries, with special attention to the barriers hampering or impeding rapid industrialization; (5) recommend that the Secretary-General and the specialized agencies give priority to those requests for technical assistance which in the opinion of the governments of the under-developed countries would be conducive to the rapid industrialization of these countries; and (6) draw the attention of governments to the technical assistance services provided by the United Nations and the specialized agencies.

On the basis of amendments by Pakistan (E/L.411), this proposal was subsequently re-

³⁰ See Y.U.N., 1951, p. 416.

vised (E/L.400/Rev.1) to modify the request for studies so that special attention would be given to the problems mentioned in General Assembly resolution 521 (VI) and to omit the request addressed to the Secretary-General and the specialized agencies concerning technical assistance.

The majority of representatives considered that the subject as outlined was too vast and too complex to be undertaken by a group of experts without a more precise definition of the problem to be studied and precise terms of reference. Others, among them the representatives of China, the Philippines and Sweden, thought that the General Assembly resolution was not too vague regarding the nature of the proposed studies, and were in favour of such a study by a group of experts, a procedure which had been used effectively in the past. The experts, it was held, would not attempt to draw up a general programme to be carried out by an international agency or to impose programmes of development on under-developed countries. They would instead be requested to prepare a study, dealing with the problem from a technical point of view, which could then serve as a concrete basis for recommendations as called for in Assembly resolution 521 (VI). Some representatives, including the representative of Canada, thought that since it was unlikely that a group of experts would be able to submit a report before the Council's sixteenth session, it might be preferable first to have the Secretary-General prepare a preliminary report which would enable the Council to define the problem and enable a group of experts to carry out its task more effectively, if the Council should so decide. It was also suggested by the representative of Uruguay that a working party of Council members, with which the Secretary-General would be requested to co-operate, might be set up for the preparation of such a study.

Some representatives, including those of Canada, France and Sweden, felt that, in view of the increasing emphasis which had been placed on the need for promoting agricultural productivity in under-developed countries, it would be inadvisable to stress only the industrial aspect of economic development. In this connexion, the representative of France proposed an amendment (E/L.410) by which the Council would recognize that ample provision should be made for industrial diversification in keeping with the development of agricultural production and international trade.

Some discussion also centred in the meaning of the term "ensuring the economic independence" which occurred in the preamble of the draft

resolution (E/L.400). Representatives supporting the proposal, including those of Pakistan, the Philippines and Uruguay, explained that the term did not mean that under-developed countries were seeking economic self-sufficiency. It implied the development by a country of the sectors of its economy essential to its progress in accordance with the desires of its people and to its participation on the basis of equality in the world community. The essential point, in their view, was that in the interests of world trade and economic stability the economies of all countries should be diversified. The representative of the Philippines suggested substituting instead the words "strengthening the economic position" (E/L.411).³¹

The representative of the USSR deplored the fact that the revised draft (E/L.400/Rev.1) omitted any reference to a study of the barriers to the rapid industrialization of under-developed countries. Rapid industrialization, he held, was an important prerequisite to the solution of problems of economic development. The representative of Argentina thought it unnecessary to reiterate ideas so clearly stated in Assembly resolution 521 (VI), which was referred to in the preamble of the revised draft.

At the conclusion of the discussion, a joint draft resolution (E/L.412) was presented by Argentina, Pakistan, Sweden and the United Kingdom. It took into account the amendments by the Philippines and French representatives and reconciled several of the different views expressed during the debate. It was adopted by the Council at its 640th plenary meeting on 11 July by 15 votes to none, with 3 abstentions, as resolution 416 F (XIV). By this resolution, the Council recognized that co-ordinated and integrated policies of economic development must make provision for industrial diversification in harmony with the development of agricultural production, with a view to ensuring the economic independence of the countries concerned, taking full advantage of the benefits of international trade, and promoting the social welfare of their inhabitants.

The Secretary-General was requested to prepare a working paper for submission to the Council, as soon as possible, regarding the concrete proposals referred to in Assembly resolution 521 (VI), and to continue his general and concrete studies of the economic development of the under-developed countries, giving special attention to the problems dealt with in that Assembly resolution.

³¹ Put forward in an amendment by Pakistan.

The resolution also drew the attention of governments, in connexion with Assembly resolution 519 (VI), to the technical assistance services of the United Nations and the specialized agencies available to them.

c. MIGRATION AND ECONOMIC DEVELOPMENT

The question of migration and economic development was discussed by the Second Committee during its debate on financing of economic development³² and specifically at its 223rd and 224th meetings on 1 December 1952.

During the Second Committee's general debate on economic development at its 195th to 209th meetings from 23 October to 12 November, the representative of Uruguay had pointed out that in countries like Uruguay, which relied mainly on self-financing systems, the main obstacle to full development was under-population. He therefore proposed (A/C.2/L.164) that the Assembly should recommend the conclusion of bilateral agreements to encourage migration and ask the International Bank for financial co-operation. This, he stated, would help countries with surplus population problems as well as those with much cultivable land and great natural resources condemned to a low standard of living because of under-population.

At the 223rd meeting of the Committee, the representative of Uruguay presented a revised text (A/C.2/L.164/Rev.1) in which he had taken into account amendments tabled by:

(1) Australia (A/C.2/L.171) to include a reference to the inadequacy of capital as a factor in retarding economic development;

(2) Greece (A/C.2/L.178) to refer to unemployment and under-employment as two characteristic complaints of over-populated countries and to recall that ILO had made a large contribution toward the solution of the problem of migration; and

(3) Belgium and France jointly (A/C.2/L.168) to give the text a more general character by including a request for assistance from all competent international agencies and by referring to the conclusion of arrangements for multilateral as well as bilateral agreements.

The majority of the Committee favoured the resolution, in principle, and agreed generally with the statements of the representative of Uruguay. In particular they agreed that the problem of migration could only be solved by the under-populated countries, and that the question was closely linked with that of economic development. Lack of international financing was one of the main factors retarding European emigration, they stated. The representatives of Australia, Canada, Chile, New Zealand and the United States stressed the importance of it being understood that migra-

tion under private agreements would not be ruled out under the resolution.

Following the brief discussion, a second revised text (A/C.2/L.164/Rev.1/Corr.1) of the draft resolution was submitted to include an oral drafting amendment by China, a French drafting amendment (A/C.2/L.185) and a Greek oral amendment to provide for technical training of emigrants in countries of emigration as well as of immigration.

At the Committee's 224th meeting on 1 December an amendment by Haiti (A/C.2/L.184) to specify that there should be no racial or religious discrimination in international action regarding migration was adopted by a roll-call vote of 21 to none, with 28 abstentions.

The first five paragraphs of the draft resolution were adopted by 28 votes to none, with 19 abstentions, and the last paragraph by 28 votes to none, with 21 abstentions. The draft resolution, as a whole, as amended, was adopted by a roll-call vote of 29 to none, with 20 abstentions.

The General Assembly at its 411th plenary meeting on 21 December adopted the draft resolution as proposed by the Second Committee (A/2332-IV) by a roll-call vote of 36 to none, with 24 abstentions, as follows:

In favour: Argentina, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Haiti, Honduras, India, Indonesia, Iran, Israel, Liberia, Luxembourg, Netherlands, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, United Kingdom, United States, Uruguay.

Abstaining: Afghanistan, Australia, Burma, Byelorussian SSR, Czechoslovakia, Egypt, Ethiopia, Guatemala, Iceland, Iraq, Lebanon, Mexico, New Zealand, Poland, Saudi Arabia, Syria, Thailand, Turkey, Ukrainian SSR, Union of South Africa, USSR, Venezuela, Yemen, Yugoslavia.

The representative of Uruguay spoke in favour of the resolution. The USSR representative, explaining his abstention, stated that the resolution was based on the erroneous theory that the unemployment and poverty are due, not to prevailing social conditions, but to over-population or under-population.

The resolution (624(VII)) read:

"The General Assembly,

"Considering that the under-developed countries vary considerably in density of population,

"Considering that in many of these and other countries, owing to the insufficiency of suitable land and of opportunities of employment, over-population is reflected in unemployment, under-employment, poverty and under-consumption,

³² See pp. 371 ff.

"Considering further that, in many countries with vast areas of cultivable land, sparseness of population and inadequacy of capital have been factors retarding economic development,

"Noting that the Director-General of the International Labour Office in his reports to the Economic and Social Council deals with the International Labour Organisation's proposal for further action regarding methods of assisting European migration,

"1. Recommends Member States and non-member States, classified variously as countries of emigration and of immigration, to conclude bilateral or multilateral

agreements with a view to the equipment, transfer and resettlement of groups of emigrants, without racial or religious discrimination, as a part of their general economic development;

"2. Requests the Secretary-General, the specialized agencies, in particular the International Bank for Reconstruction and Development, and other interested international organizations to continue their active cooperation in the equipment, transfer and technical training of groups of emigrants in the countries of emigration or immigration or both, by rendering such economic financial or administrative assistance as is consistent with their respective constitutional provisions."

C. FULL EMPLOYMENT

At its fourteenth session, held from 20 May to 1 August 1952, the Economic and Social Council considered the question of full employment with particular reference to:

(1) the analysis and recommendations contained in a report entitled *Measures for International Economic Stability*,³³ prepared at the Council's request by a group of experts appointed by the Secretary-General; (2) the Council's agenda sub-item on integrated economic development and commercial agreements (Assembly resolution 523(VI)),³⁴ which, among other things, dealt with action taken by governments to bring about adequate production and equitable regulation of distribution and prices, and measures taken to combat inflation; and (3) the provisions of Council resolution 290(XI)³⁵—that the subject of full employment be kept under continuous review.

Other aspects of the question of full employment were considered by the Council in the light of the replies of Governments (E/2232 and Addenda) to the annual questionnaire circulated by the Secretary-General concerning full employment objectives, policies and measures. An account of the Council's discussion of the replies of governments is given separately below, following an account of its consideration of the experts' report and of Assembly resolution 523 (VI).

1. Measures for International Economic Stability

a. REPORT OF GROUP OF EXPERTS

In accordance with Council resolutions 290-(XI) and 341 (XII),³⁶ the Secretary-General appointed the following experts:

James W. Angell, Professor of Economics and Executive Officer of the Department of Economics, Columbia University; G.D.A. MacDougall, Fellow of Nuffield College and Reader in International Economics, Oxford University; Javier Marquez, Alternate Executive Director, International Monetary Fund, formerly Professor of Economics, National School of Economics, Mexico; Hla Myint, Lecturer in Colonial Economics, Oxford

University, formerly Professor of Economics, Rangoon University; and Trevor W. Swan, Professor of Economics, Australian National University.

The group met from August to October 1951 and submitted a unanimous report, *Measures for International Economic Stability*, which was considered by the Council in 1952.

In their report the experts stated that they had been concerned to suggest policies which would help to improve international economic stability, and to discuss the conditions under which such policies might be made practicable and effective, rather than to draw up blueprints for rigid and automatic stabilization devices. They had also tried to rely as far as possible on the use of existing international agencies, they added, and to point to what it might be possible to achieve with the present constitutions and resources of such agencies, as well as to indicate the directions and circumstances in which these might need to be altered. The measures suggested fell under three main headings: (a) international commodity arrangements; (b) international flow of capital; and (c) international monetary reserves.

With respect to international commodity arrangements the experts stated that the essential objective should be, not the introduction of restrictions to help remove "burdensome surpluses", but the stabilization of world commodity markets in the face of the temporary ups and downs of demand and supply. It was suggested that schemes under which industrial countries continued to buy steadily from under-developed countries, at times when private demand declined temporarily, were more satisfactory for both parties than financial grants or loans which might otherwise be thought necessary to avoid a breakdown. The

³³ U.N.P., Sales No.: 1951. II. A. 2.

³⁴ See Y.U.N., 1951, pp. 418-19.

³⁵ See Y.U.N., 1950, pp. 472-74.

³⁶ See Y.U.N., 1951, pp. 366-67.

details of commodity arrangements would have to be worked out separately for each commodity by those with expert knowledge of the commodities and by those with power to negotiate on behalf of their governments.

While the experts did not rule out any particular type of international commodity arrangement, they gave reasons why certain types should be avoided. They favoured multilateral long-term agreements on prices and quantities, of the kind exemplified by the International Wheat Agreement, and international buffer stocks. Attention was drawn to the usefulness of combining arrangements of these two types. Mention was made of the possibility of reducing the funds required for the financing of buffer stock schemes through the operation of buffer stock agencies in futures markets that would induce appropriate changes in stocks privately held. The capital required by such schemes, they suggested, should be provided by both importing and exporting countries. It was also suggested that a portion (perhaps 50 per cent) of the capital should be derived from an international source of finance, and specific mention was made of the International Bank for Reconstruction and Development.

The experts stated that they did not believe that any new international agency to administer a comprehensive scheme for a range of different commodities was necessary or practicable. For co-ordination of general structure and policy among the various schemes, use should be made of existing international bodies, they recommended.

With respect to the international flow of capital it was stated that a strong case could be made for loans to some of the under-developed countries on especially easy terms or for outright grants, particularly in the event of a major recession; but these were issues which the experts did not consider themselves called on to examine. A basic objective of foreign investment policy, as of commodity policy, should be to keep the international flow of goods and services as steady as was consistent with long-term trends and with the inevitable structural changes in the world economy, they stated. The experts added that steadiness in the rate of economic development might be impossible to achieve without variations in the rate of foreign financing.

Governmental or intergovernmental agencies which supplied capital funds for foreign economic development, the report suggested, should be prepared to vary the rate at which they provided these funds, in the light of fluctuations in the foreign exchange receipts of the borrowing coun-

tries on current account and on other capital account and within a total burden of external debt which the borrowing country could reasonably assume.

The International Bank should stand ready to provide an increased outflow of funds to Member countries for development purposes in times of recession, the report recommended. The chief requisites for a practical programme of that nature were:

(a) that a general development programme be established well in advance, normally in co-operation with the Bank, so that, if necessary, the rate of the Bank's lending could be expanded without undue delay; and (b) that the Bank's resources be adequate to meet the additional demands. Specific proposals were made with a view to increasing these resources.

The monetary reserves of countries other than the United States, even when supplemented by recourse to the International Monetary Fund, were, the experts stated, insufficient to enable countries to maintain imports in the face of a recession in one or more major countries that sharply, though only temporarily, reduced the demand for exports throughout most of the world; hence the experts examined the various ways in which reserves might be increased. The possibility of achieving this by an increase in the price of gold (uniformly in terms of all currencies) was discussed, but in view of the political problems such a step would involve, the experts restricted their detailed analysis to measures whereby funds could be made available by an international authority at its discretion, limited only by agreed general principles and by its total resources.

Reference was made in the report to various methods of overcoming a shortage of monetary reserves, including the plan proposed by the previous Group of Experts in the report on National and International Measures for Full Employment under which countries experiencing a fall in their own effective demand would make their currency available to the rest of the world. It was pointed out that additional dollar reserves were unlikely to be provided unless there were firm assurances that the resulting contributions to international reserves would not be dissipated but would constitute a truly revolving fund.

It was further suggested that the Fund should be used to achieve the objects in question. A series of proposals was made for the effective use of the Fund's resources at the onset of a recession. It was also recommended that the Fund's resources be increased at the earliest possible moment and methods to effectuate such an increase were suggested.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council considered the question at its 624th, 625th, 627th to 631st and 635th to 638th plenary meetings, held on 30 June and 1, 2, 3, 9 and 10 July 1952.

It had before it the following documents:

(1) a draft resolution on world economic stability and international arrangements concerning trade in primary commodities, submitted by Cuba³⁷ at the sixth session of the Assembly³⁸ and referred to the Council by the Assembly's Second Committee (E/2189); (2) replies from Member Governments³⁹ in response to Assembly resolution 523 (VI)⁴⁰ (concerning integrated economic development and commercial arrangements) on action taken concerning production, distribution and prices of commodities and measures to combat inflation (E/2243 and Addenda); (3) a note from the Secretary-General on various intergovernmental consultations and conferences sponsored by the regional economic commissions, as well as on several activities and studies undertaken by the Secretariat (E/2257) related to the objectives of Assembly resolution 523 (VI); (4) a communication dated 4 January 1952 from the Food and Agriculture Organization of the United Nations (FAO) on commodity control arrangements, giving the views of the FAO Conference (E/2194); and (5) a note by the Secretariat (E/L.313) summarizing the main suggestions in the experts' report.

Representatives of FAO, the International Labour Organisation (ILO), the International Bank for Reconstruction and Development and the International Monetary Fund took part in the debate, particularly with respect to recommendations and suggestions within their fields of competence. The Council also heard statements by representatives of the World Federation of Trade Unions (WFTU) and the International Confederation of Free Trade Unions (ICFTU).

(1) Views Expressed in the Council

In the course of the debate, most representatives expressed appreciation of the report. A number of representatives, including those of Argentina, Belgium, Canada, Cuba, Egypt, Pakistan, Sweden, the United Kingdom, the United States and Uruguay, expressed agreement with the general tenor of the analysis and policies contained in the report, and appreciation of the effort of the authors to offer practical and realistic suggestions. The view was advanced by the representatives of Belgium, Canada, China and France, among others, that while the current situation was not, in fact, characterized by the problems of economic recession with which the experts' report dealt, it was important to formulate policies well in advance to deal with such a contingency, particularly in the case of under-developed countries.

There were differences of view, however, with regard to the extent to which reliance should be placed on international rather than on national action for the mitigation of the effects of disequilibrium in international payments due to economic fluctuations. Among representatives who considered that greater emphasis should be placed on national measures were those of Canada, Sweden, the United Kingdom and the United States. (The United Kingdom presented a proposal embodying such recommendations (E/L.387—see below)).

The representatives of Czechoslovakia, Poland and the USSR expressed disagreement with both the analysis and the recommendations contained in the report. The representative of Poland, in particular, criticized the report on the grounds that it proposed financial manipulations to solve basic contradictions of capitalism, maintaining that its proposals would increase the dependence of the rest of the world on the United States, and criticizing the failure of the report to include, in its analysis, the peoples' democracies.

These representative found the report defective in not recommending a decrease in the United States armament programme and an increase in East-West trade as solutions to the unemployment which they found in Western Europe. They also considered the report's acceptance of a definition of full employment, which allowed for 2 to 5 per cent unemployment, inconsistent with the Charter. (Proposals embodying these points were made by the USSR (E/L.388/Rev.1—see below)).

The discussion of the experts' recommendations on international commodity arrangements showed a considerable range of opinion concerning the usefulness and practicability of such agreements.

Most representatives of industrialized countries, including the representatives of Belgium, Canada, France, the United Kingdom and the United States, supported international commodity arrangements as a useful stabilizing device and expressed their willingness to enter into such agreements under appropriate conditions. They

³⁷ At the 625th plenary meeting on 30 June, Cuba withdrew this draft, reserving the right to submit a proposal later.

³⁸ See Y.U.N., 1951, pp. 374-75.

³⁹ Australia, Belgium, Canada, Czechoslovakia, Denmark, Haiti, India, Iraq, Netherlands, New Zealand, Pakistan, Philippines, Sweden, Turkey, United Kingdom and United States. For an analysis of replies received before 1 August 1952, see Governmental Policies Concerning Unemployment, Inflation and Balance of Payments 1951-52 — U.N.P., Sales No.:1952:II.A.2. The replies also contained data relating to problems of economic stability.

⁴⁰ See Y.U.N., 1951, pp. 418-19.

expressed an awareness of the difficulties, both technical and political, attending the negotiation of international commodity agreements, but at the same time were confident of the possibility of overcoming these difficulties. They saw no practical basis for the negotiation of agreements covering a number of commodities simultaneously; nor did they support arrangements involving the stabilization by international agreement of price relationships between primary products and manufactured products entering into international trade. It was held that no new international machinery was required to facilitate the negotiation of commodity agreements, in view of the existence of the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA). It was proposed, accordingly, that governments give serious consideration to the possibility of entering into intergovernmental commodity agreements for individual primary commodities. In so far as governments desired international consultation and action with respect to such agreements, it was recommended that they should call upon the Secretary-General and ICCICA to facilitate such action and consultation in accordance with the procedures and principles approved by the Council in resolution 30 (IV) of 28 March 1947, 296 (XI) of 15 August 1950 and 373 (XIII) of 13 September 1951.⁴¹ These proposals were later presented in the form of a joint draft resolution, sponsored by Belgium, Canada, Cuba, France, the United Kingdom and the United States (E/L.401—see below). The representatives of China and Sweden considered, however, that there was need for further study of commodity agreements and their implications, before the Council could take any decision on the issue. The representative of Sweden formally submitted a proposal to this effect (see below).

Representatives of under-developed countries whose economies are heavily dependent on the export of primary products were divided on the question of the reliance to be placed on international commodity agreements and also on the type of commodity agreements that might be most suitable.

Some of these representatives, including those of Egypt and Pakistan, felt that, even if there should be full employment and diversified development of under-developed countries, such commodity arrangements would only be relatively useful. In the event of a severe depression with extensive unemployment in developed countries, they might even break down completely; for demand for primary products would then suffer such a setback that even the severest restriction of output would

fail to keep up prices. Restrictions of output would, in turn, aggravate the chronic under-employment in countries producing raw materials. These representatives also felt that fixing quotas would tend to perpetuate uneconomic conditions of production by preserving, for high-cost producers, markets which they would otherwise lose. They stated further that under-developed countries, interested in obtaining manufactured goods in reasonable quantities at fair prices, would like to see international arrangements not only for primary products but also for capital goods.

The representatives of some under-developed countries, however, including those of Argentina and the Philippines, supported commodity recommendations of the type endorsed by the experts. The representatives of Cuba and Pakistan submitted proposals (E/L.405/Rev.1 and E/L.404/Rev.2, respectively—see below) which, while recognizing that the negotiation of intergovernmental commodity arrangements could be facilitated by the adoption of the procedures and principles established by the Council in resolution 30(IV), 296(XI) and 373(XIII), would not limit governments to any particular procedures or principles in negotiating intergovernmental commodity agreements that the governments concerned might deem appropriate.

The representative of the USSR stated that the experts' proposals on international commodity arrangements, like other recommendations in the report, were aimed at giving the United States a stronger hold on the economies of other countries. The representative of the United States, who stated that what was being sought was stability within the framework of a more dynamic economy, dismissed as propaganda the charges made by the USSR representative.

The representative of FAO recalled that, at the last Conference of that Organization, FAO had reaffirmed its support of international commodity agreements as a permanent instrument of stabilization. It felt, however, that the experts' report did not give sufficient emphasis to the political and technical difficulties in the conclusion of intergovernmental commodity agreements; he noted that despite a wide range of consultative activity, the International Wheat Agreement still remained the only fully intergovernmental agreement in existence. The representative of FAO stressed the difficulty of finding a formula for such agreements which would assure stability in real terms under conditions of substantial inflation or deflation. In considering intergovernmental corn-

⁴¹ See previous Yearbooks.

modity stabilization techniques, he said, account must be taken of the extent to which price fluctuations of primary products performed a useful function. Several problems touched upon in the report would require further examination, particularly the determination of an appropriate price formula, the relationship of international stabilization measures to national policies and the question of quotas. The experts' conclusion that existing intergovernmental machinery was generally adequate was supported by FAO.

In connexion with the experts' suggestion that the Bank might provide a portion of the finance of international buffer stocks, some representatives, including those of Canada, France, the United Kingdom and the United States, shared the doubts of the representative of the Bank that international financing mechanisms would be required, and suggested that financing for such schemes should be obtained from national sources and should be provided by the participants. On the other hand, the representatives of China, Cuba, Pakistan, the Philippines and Uruguay recommended further study of the possibilities of financing mechanisms.

The representative of the International Monetary Fund stated that the Fund could not make its resources available to finance an international buffer stock scheme.

The discussion also revealed some differences of opinion regarding the desirability and the practicability of the suggestions made by the experts concerning long-term capital flow and, in particular, the policy of the International Bank in the event of a recession.

The representative of the Bank stated that the Bank viewed with sympathy the objective of avoiding periodic disruptions in the rate of economic development, but nevertheless doubted whether it could play a major part in anti-cyclical measures. Such a policy required the existence of a reserve of high priority projects, suitable for Bank financing, but the Bank's experience indicated that such a reserve existed hardly anywhere. Other factors in the under-developed countries also limited the scope for such action. The Bank, therefore, did not believe it would be in a position to adjust its rate of lending in any substantial degree as suggested by the experts; accordingly, the question of increasing the Bank's resources for this purpose did not arise. The Bank's main contribution to stability in under-developed countries would be to continue to invest at a steady pace, as it intended.

Some representatives, among them those of Canada and the United States, felt that the proposal

of the experts might conflict with the primary function of the Bank, which was to provide long-term capital on a continuous basis for economic development. There was support, however, from the representatives of Argentina, Belgium, Cuba, Egypt, the Philippines, Sweden and the United Kingdom, among others, for the experts' suggestion that the Bank's disbursements of loans committed to particular programmes might well be accelerated during a recession or that the Bank might increase its participation in a country's development programme, provided the country's long-run prospects were sufficiently good to warrant the assumption of increased debt. As regards the experts' suggestion that the Bank's resources be increased, the representative of France saw little probability of the Bank pressing against the limit of its resources. The representatives of Argentina and the Philippines were in favour of an increase in capital. The representatives of Sweden and the United Kingdom felt that more attention should have been given to the possibility of national lending policies of the sort proposed by the experts, in contrast to the emphasis on loans through the International Bank.

The representatives of certain under-developed countries, including those of Argentina, Pakistan and the Philippines, expressed their support of the experts' suggestions concerning the role of the International Bank as being both desirable and practical. They urged particularly that the Bank's assessment of credit-worthiness should not be governed by temporary difficulties affecting a country's balance of payments.

The representatives of Poland and the USSR sharply attacked the experts for counselling dependence on the Bank which, in their opinion, was an instrument of the policies of the United States. These representatives asserted that both the Bank and the Fund were being used to turn the economies of under-developed countries still further in the direction of primary production, and charged that the Bank had been according credits mainly to countries which were of strategic or economic importance to the United States.

The debate revealed two main lines of approach to the experts' analysis and suggestions concerning the adequacy of international monetary reserves and, in particular, the role of the International Monetary Fund. Some representatives, including those of Canada, the United Kingdom and the United States, felt that more attention should have been given to the corrective measures that individual governments might themselves be able to take to improve their reserve position. These representatives argued that the

Fund's resources were to be considered only as a second line of reserves and that the granting of assistance by the Fund should properly be on a case-by-case basis rather than by any automatic procedure. They feared that, in the absence of a domestic monetary policy and of international trade policies designed to correct a disequilibrium in the balance of payments, additional resources provided through the Fund might be rapidly dissipated. Expressing the view that the existing resources of the Fund were not inconsiderable, these representatives, together with those of Belgium and Sweden, stated that the Fund itself presented the best forum for a detailed discussion of the question of the adequacy of its resources in the event of a recession. Recommendations based on this view were presented jointly by Cuba and the United States (E/L.389—see below).

There was support, on the other hand, from the representatives of Cuba, Pakistan and the Philippines, among others, for the view that, while primary reliance in meeting temporary balance-of-payments difficulties must be placed on a country's own reserves, existing monetary reserves were seriously inadequate. The representative of the United Kingdom, supporting the experts' recommendations on the policies to be adopted by the Fund at the onset of a recession, stressed the desirability of such action as an alternative to restrictive measures which might tend to relieve one country's payments difficulties at the expense of another. Several representatives holding this view, including those of Sweden and the United States, nevertheless regarded it as premature to arrange for an increase in the Fund's resources at the present time. The representative of Pakistan stated that additional resources would be of little avail unless the Fund, contrary to its current policy, regarded drawing rights as automatic, this policy being, in his Government's view, the correct interpretation of the Fund's Articles of Agreement.

The representatives of Poland and the USSR criticized the experts for recommending an expanded role for the Fund which, in their opinion, had proved to be an instrument of intervention by the United States in the internal affairs of other countries.

The representative of the International Monetary Fund recalled that the Fund's Articles of Agreement assigned it the important function of providing a second line of international reserves to be used in accordance with the Fund's purposes and policies to help Members meet balance-of-payments deficits due to the onset of a depression abroad. The basic difficulties caused by de-

pression could not be overcome, however, merely through the freer availability of credit to be repaid in the next boom, whether the credit came from the Fund or from any other source, he said. With regard to the experts' proposal that the Fund's resources be enlarged, the representative of the Fund stated that the question of increasing the quotas had been under consideration, but that the conclusion had been reached that an increase in its resources was not a question for action at that time. The Fund's existing resources were by no means small as a source of aid for financing cyclical deficits in the balance of payments, especially if it were borne in mind that these resources constituted secondary reserves.

With regard to the suggestion that the Fund should protect the revolving character of its resources by more definite repayment obligations, the representative of the Fund pointed out that the Executive Board of the Fund had recently adopted policies and procedures which, while not identical with those suggested by the experts, should achieve the general objective suggested. The Executive Board of the Fund would give careful consideration to the other recommendations concerning its practices contained in the report, he stated. After reviewing the problem of the use of its resources in the light of the experts' report, the Fund was of the opinion that it could operate with sufficient flexibility to permit it to be helpful in a depression without changes in its Articles of Agreement.

(2) Proposals before the Council

At its 635th to 638th plenary meetings, held on 9 and 10 July, the Council considered the proposals before it.

(a) DRAFT RESOLUTION BY THE USSR

The Council first considered a draft resolution by the USSR (E/L.388/Rev.1). In its preamble, the Soviet draft would have the Council state that it considered that the policy of militarizing an economy, as pursued in the United States, the United Kingdom and a number of other countries, not only did not promote a solution to the problem of full employment in accordance with the provisions of the United Nations Charter, but was in opposition to those provisions, led to the curtailment of the production of goods for civilian purposes, and increased the number of unemployed and partially unemployed in many countries and in many branches of industry. The preamble to the draft would also have the Council take into account that the militarization of the economy in those countries adversely affected the flow to the under-developed countries of equipment and other

goods necessary for their economic development, thereby preventing increased employment in those countries.

In its operative part, the draft resolution by the USSR would have the Council recommend that Member States take effective measures to put an end to the curtailment of civilian production wherever it had taken place and to ensure an increased output of goods for civilian consumption, and also take measures to improve the situation of the unemployed and the partially unemployed, in particular by establishing state unemployment insurance and free medical care, by providing allowances and by improving housing conditions and living conditions in general. It would further have the Council recommend that the industrially developed countries, with a view to promoting increased employment in under-developed countries, take measures to increase the export of equipment and other goods necessary for the economic development of the under-developed countries. Finally, the Soviet draft would have the Council invite the Secretariat to submit to the Council at its fifteenth session a report on the implementation of the recommendations.

At its 635th plenary meeting on 9 July, the Council rejected, by 14 votes to 3, with 1 abstention, each paragraph of the preamble to the Soviet draft. It further rejected, by 10 votes to 3, with 5 abstentions, and 9 votes to 3, with 5 abstentions, the first two paragraphs of the operative part. Accordingly, it did not vote on the final paragraph of the draft, and the resolution as a whole was considered as rejected.

(b) SIX-POWER DRAFT RESOLUTION

Belgium, Canada, Cuba, France, the United Kingdom and the United States submitted a joint draft resolution (E/L.401), which superseded draft resolutions submitted by the United Kingdom (E/L.387) and by Cuba and the United States jointly (E/L.389), as well as an amendment to the United Kingdom draft submitted by France (E/L.390). The six-Power joint draft made a number of recommendations and requests to governments as well as to the Bank and the Fund, concerning measures to be taken on the question.

In terms of the preamble to the joint draft resolution, the Council would note the experts' report, the communication from FAO and the replies from governments and would recognize that domestic policies designed to maintain high and stable levels of employment, while an essential requisite for international economic stability, might not be sufficient to ensure such stability.

The draft would have the Council further express the view that, while main reliance for mitigating the effects of any disequilibria in international payments must be placed on appropriate national action by all countries concerned, there were fields in which international action might be of considerable assistance.

Concerning the role of the International Bank in the event of a recession, the six-Power draft resolution would have the Council recall that, in resolution 290 (XI), it had urged the Bank, while achieving and maintaining in ordinary times a high level and steady rate of flow of international investments for economic development, to utilize in case of recession all practical resources in order to expand the volume of its lending, among other things, by making the fullest use of its borrowing capacity. The draft would also have the Council recommend that governments which anticipated that, in case of recession, they might be in need of additional international financing in connexion with their economic development operations should prepare, in co-operation with the Bank, as appropriate, programmes which might better enable them to obtain such finance. It would also have the Council request the Bank, with the object of maintaining as rapid a rate as possible of sound economic development, to consider the desirability, where practicable, of meeting increased needs for financing by the Bank which might arise in times of recession because of temporary declines in other sources of finance for economic development, bearing in mind the long-run economic prospects of the borrowing countries.

The six-Power draft would also have the Council take note of the views of the experts that the monetary reserves of most Member States appeared to be inadequate to meet possible payments difficulties, even when account was taken of the possibility of supplementing national reserves by recourse to the International Monetary Fund. Noting the recent decisions taken by the Fund with respect to the use of its resources, the Council would express its confidence that the Fund would act with determination to assist its members in lessening the balance-of-payments impact of any future recession. It would urge the Fund, in supporting the efforts of its members to meet balance-of-payments difficulties arising from recession, to apply its rules flexibly and give careful consideration to the suggestions made in this connexion in the experts' report. It would also reaffirm its request to the Fund, made in resolution 290 (XI), that the Fund be prepared to use its resources as promptly and as fully as

was consistent with its Articles of Agreement. The Council would also request the Fund to keep under continuous review the adequacy of monetary reserves for the purpose of helping countries to meet temporary disequilibria in their balances of international payments, keeping in mind the desirability of:

(a) avoiding, to the extent practicable, recourse to restrictions on trade and payments imposed for balance-of-payments reasons, and of promoting general convertibility of currencies and liberalization of trade; and (b) creating conditions favourable to a steady expansion of international trade and to high levels of production and consumption. The Fund would be requested to furnish an analysis of this question to the Council in 1953.

Regarding international consultation, the draft resolution would also have the Council state that it considered that the method of initiating inter-governmental consultation and action, as well as the procedures and principles governing such action, already recommended in Council resolutions 30 (IV), 296(XI) and 373(XIII), should facilitate the negotiation of such agreements as the governments concerned might deem appropriate, with a view to alleviating pronounced fluctuations in the prices of primary commodities. It would further recommend that, for the purpose of reducing actual or anticipated instability in the world commodity markets, governments should:

(a) give serious consideration to the possibility of entering into intergovernmental commodity agreements for individual primary commodities; (b) in so far as they desired international consultation and action with respect to such agreements, call upon the Secretary-General and ICCICA to facilitate such consultation and action in accordance with the procedures and principles approved by the Council in resolutions 30(IV), 296 (XI) and 373(XIII); and (c) take into account at the appropriate time and place the suggestions relating to such agreements contained in the report of the experts.

(c) **AMENDMENT BY PAKISTAN TO THE SIX-POWER DRAFT**

Pakistan submitted an amendment which, in its revised form (E/L.404/Rev.2), superseded two earlier amendments (E/L.398 and E/L.404/Rev.1).

The first part of the amendment would add to the preamble of the joint draft resolution (E/L.401) a paragraph which would have the Council note the importance attached by the experts in their report to the need for governments to pursue stable economic policies, particularly in the matter of their external currency disbursements and for maintaining an adequate international flow of capital for the financing of economic development in under-developed countries. (The Council, by a

vote of 11 to 1, with 6 abstentions, adopted this part of the amendment.)

The second part of the amendment would, among other things, delete from that part of the joint draft referring to intergovernmental consultations the reference to the aim of alleviating pronounced fluctuations in the prices of primary commodities. (This was not adopted by the Council; 6 Votes being cast in favour, 6 against, and 6 abstentions.)

The third part of the amendment would add to the preamble a paragraph stating that the Council believed that a further study should be made of the relative movements of prices of various classes of goods moving in international trade. (This was adopted by the Council by 15 votes to none, with 3 abstentions.)

The fourth part of the amendment would replace that part of the joint draft concerning measures recommended to governments for the purpose of reducing actual or anticipated instability in the world commodity market. In terms of the amendment, the Council would recommend that governments of developed countries, in pursuing their domestic economic policies, should bear in mind not only the possible effects of these policies on their own economies and balances of payments, but also on those of other countries, and the general advantages of a greater measure of stability on the international flow of finance capital and trade. (The Council adopted this by 13 votes to none, with 5 abstentions, after it had decided, by 9 votes to 8, with 1 abstention, to delete the original paragraph in the joint draft.)

Another part of the amendment by Pakistan sought to replace that part of the joint draft which would have the Council:

(1) recommend that governments anticipating, in case of recession, that they might be in need of additional international financing in connexion with their economic development programmes, should prepare, in co-operation with the Bank, programmes which might better enable them to obtain such finance; and (2) request the Bank, with the object of maintaining as rapid a rate as possible of sound economic development, to consider the desirability of meeting increased needs for financing by the Bank which might arise in times of recession.

In terms of the amendment, the Council would, instead, invite the Bank, with the object of maintaining the pace of economic development of under-developed countries, in assessing the creditworthiness of a country not to be unduly influenced by the economic situation of that country in time of temporary recession, but to give full consideration to the country's long-run prospects. It would also invite governments, independently

or in co-operation with the International Bank, to prepare programmes for additional investments to be made in case of a recession or depression. (The Council adopted the amendment by 17 votes to none, with 1 abstention, after deciding, by 10 votes to 7, with 1 abstention, to delete the original paragraphs of the joint draft.)

A final amendment by Pakistan would add to the joint draft a paragraph in terms of which the Council would request the Secretary-General to prepare, for consideration at an early session of the Council, a study of the relative movements of prices of various classes of goods moving in international trade. (The Council, by 15 votes to none, with 3 abstentions, adopted this part of the amendment.)

(d) AMENDMENT BY CUBA

Cuba proposed a two-part amendment to the joint draft.

The first part sought the deletion of that part of the joint draft which would have the Council state that it considered that the methods which it had earlier recommended should facilitate the negotiation of intergovernmental agreements which the governments concerned might deem appropriate with a view to alleviating pronounced fluctuations in the prices of primary commodities. The representative of Cuba proposed that the new text should state that these methods should facilitate the negotiation of such "intergovernmental commodity agreements, relating to the several primary commodities, as the governments concerned may deem appropriate." (The Council rejected this part of the Cuban amendment by 7 votes to 4, with 7 abstentions. In a separate vote, however, it rejected, by 11 votes to 7, that part of the original joint draft with which the representative of Cuba was not in accord, but adopted the first part of the paragraph by 12 votes to 4, with 1 abstention. It later rejected, in its entirety, the paragraph of the preamble, by 10 votes to 5, with 2 abstentions.)

The second part of the Cuban amendment would have the Council recognize that the under-developed countries did not generally have at their disposal, within the possibilities of domestic action, the means required for controlling the factors determining the recessions which occurred in their economies owing to great declines in the demand for, or in the prices of, their primary export products or to a deterioration of the terms of trade in relation to the manufactured products which they imported and that, in these cases, international action was essential. (The Council

adopted this part of the Cuban amendment by 8 votes to 6, with 4 abstentions.)

(3) Resolution Adopted by the Council

The Council was thus unable to agree on one major policy issue raised in the experts' report—the question of international commodity arrangements—and accepted none of the proposals made in this connexion (see above). The principal objection of the under-developed countries to the joint draft resolution was that it advocated international agreements for primary commodities and failed to give attention to the relation of the prices of primary products to manufactured goods or to the importance to the under-developed countries of the pursuit of stable economic policies by the industrialized countries. The resolution adopted by the Council, however, embodied a broad consensus of the major issues of policy raised in the experts' report.

At its 638th plenary meeting on 10 July, in a series of eleven separate votes, ranging from 16 votes to none, with 2 abstentions, to 9 votes to 8, with 1 abstention, the Council adopted the remaining parts of the joint draft resolution. It adopted the joint draft resolution as a whole, as amended, by 13 votes to 3, with 2 abstentions (resolution 427(XIV)). It read:

"The Economic and Social Council,

"Having considered the report entitled Measures for International Economic Stability (E/2156) prepared by a group of experts appointed by the Secretary-General in accordance with Council resolutions 290(XI) and 341(XII),

"Noting the importance attached by the experts in their report to the need for governments to pursue stable economic policies, particularly in the matter of their external currency disbursements and for maintaining an adequate international flow of capital for the financing of economic development in under-developed countries,

"Noting the communication dated 4 January 1952, received from the Director-General of the Food and Agriculture Organization on the subject of commodity agreements, and the importance attached by the experts in their report to inter-governmental commodity agreements for major primary commodities,

"Noting the replies of governments and the actions taken by the regional economic commissions in response to General Assembly resolution 523(VI) on integrated economic development and commercial agreements,

"Recognizing that domestic policies designed to maintain high and stable levels of employment, while an essential pre-requisite for international economic stability may not be sufficient to ensure such stability,

"Recognizing moreover that, while main reliance for mitigating the effects of any disequilibria in international payments must be placed on appropriate national action by all countries concerned, there are fields in

which international action may also be of considerable assistance,

"Recognizing furthermore, that, as a rule, the under-developed countries do not, within the possibilities of domestic action, dispose of the means necessary for controlling the factors responsible for the recessions which occur in their economies by reason of heavy declines in the demand for or in the prices of their primary export commodities or by reason of a deterioration in the terms of trade with respect to the manufactured goods which they import, and that in these cases international action is essential,

"Bearing in mind the recommendations of the Council to governments in paragraphs 9, 15 and 16 of resolution 290 (XI), its requests to the International Bank for Reconstruction and Development in paragraph 17 and to the International Monetary Fund in paragraph 18 of the same resolution,

"Noting the views of the experts in their report (E/2156) that the monetary reserves of most Member States appear to be inadequate, even when account is taken of the possibilities of supplementing national reserves by recourse to the International Monetary Fund, to help countries meet possible payments difficulties,

"Believing that a further study should be made of the relative movements of prices of various classes of goods moving in international trade,

"1. Recommends that governments of developed countries, in pursuing their domestic economic policies, should bear in mind the possible effects of these policies not only on their own economies and balance of payments but also on the economies and balance-of-payments of other countries, and the general advantages of a greater measure of stability for the international flow of finance capital and trade;

"2. Invites the International Bank for Reconstruction and Development, with the object of maintaining the pace of economic development of under-developed countries, in assessing the credit-worthiness of a country, not to be unduly affected by the economic situation of that country in time of temporary recession, but to give full consideration to the country's long-run economic prospects;

"3. Invites governments, independently or in cooperation with the International Bank for Reconstruction and Development, to prepare programmes for additional investments to be made in the case of a recession or depression;

"4. Notes the recent decisions taken by the International Monetary Fund with respect to the use of its resources; expresses its confidence that the Fund will act with determination to assist its members in lessening the balance of payments impact of any future recession and welcomes the statement made in this connexion by the representative of the Fund to the Council on 30 June 1952;

"5. Urges the International Monetary Fund, in supporting the efforts of its members to meet balance of payments difficulties arising from recession:

"(a) To apply its rules flexibly and, in this connexion, to give careful consideration to the suggestions contained in chapter IV of the report entitled Measures for International Economic Stability; and

"(b) To be prepared to use its resources as promptly and as fully as is consistent with its articles of agreement;

"6. Requests the International Monetary Fund:

"(a) To keep under continuing review the adequacy of monetary reserves for the purpose of helping countries to meet temporary disequilibria in their balances of international payments, having in mind the desirability of:

"(i) Avoiding, to the extent practicable, recourse to restrictions on trade and payments imposed for balance of payments reasons, and of promoting general convertibility of currencies and liberalization of trade;

"(ii) Creating conditions favourable to a steady expansion of international trade, and to high levels of production and consumption, employment and real income; and

"(b) To furnish an analysis of this question to the Council in 1953; and

"7. Requests the Secretary-General to prepare, for consideration at an early session of the Council, a study of the relative movements of prices of various classes of goods moving in international trade."

2. Replies of Governments Concerning Full Employment Objectives, Policies and Measures

At its 635th to 638th plenary meetings on 9 and 10 July, the Council had before it the replies of governments⁴² to a questionnaire concerning their full employment objectives, policies and measures for the period 1951-52 (E/2232 and Addenda). In accordance with Council resolution 371 B (XIII),⁴³ the questionnaire had been amended by the Secretary-General in order to obtain data to facilitate the Council's discussion of the problem of reducing structural unemployment and under-employment in the under-developed countries and of eliminating obstacles to economic development.

The replies of governments were not received in sufficient time to permit an analysis of them to be made for the Council's consideration at the fourteenth session. The analysis was published subsequently under the title *Governmental Policies Concerning Unemployment, Inflation and Balance of Payments, 1951-52*⁴⁴

In the discussion of the substantive problems of full employment and economic stability, most representatives were concerned particularly with the need for reconciling the attainment and maintenance of full employment with the avoidance of

⁴² Before the Council were replies from: Australia, Belgium, Burma, Byelorussian SSR, Canada, Czechoslovakia, Denmark, Ethiopia, Italy, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Sweden, Union of South Africa, USSR, United Kingdom, United States and Yugoslavia (E/2232 & Add.1-4). For replies of Austria, Ceylon, China (Taiwan), Cuba, Ecuador, Finland, France, Italy, Philippines, Romania, Switzerland, Thailand and Vietnam, see E/2232, Add.6-10.

⁴³ See Y.U.N., 1951, pp. 422-23-

⁴⁴ U.N.P., Sales No.: 1952.II.A.2.

the dangers of inflation. It was felt that further consideration should be given to this matter. The consensus was that it would not be appropriate to appoint a committee of experts to make recommendations on this problem at this time; but rather that data should be collected and prepared to be available if it were decided at a later date to appoint such a group of experts so as to assist them in formulating their recommendations.

The representatives of Czechoslovakia, Poland, and the USSR stated that certain countries relied on production for military purposes as a means of solving the full employment problem, but that this actually led to a curtailment in supplies of consumer goods and to an increase in unemployment and partial unemployment. This policy, they felt, also adversely affected the flow of equipment and other necessary goods to under-developed countries and thus prevented increased employment in these countries.

On the other hand, it was maintained by the representatives of Canada, France, the United Kingdom and the United States, among others, that defence programmes, which automatically led to increased demand for goods, could not be said to cause unemployment; that, in fact, as pointed out in the discussion of the world economic situation, though some unemployment had appeared in certain sectors, an unemployment crisis did not, in fact, exist; production of both capital and consumer goods, they said, had increased, and so had the supplies of these goods to under-developed countries. At the same time these representatives agreed that efforts must be continued to improve national and international measures to maintain economic stability without introducing elements of rigidity that would hamper economic progress and development.

The Council had before it two proposals:

(1) A draft resolution by Sweden (E/L.396), which proposed a study be made by a group of experts appointed by the Secretary-General. The study would be of international and national measures designed to attain and maintain full employment while avoiding the harmful effects of inflation.

Opposition to the Swedish draft resolution was expressed by the representatives of Czechoslovakia and the USSR, who considered it a retrograde step. The representatives of Canada, China, France, the United Kingdom and the United States, however, supported the Swedish proposal. The representatives of Canada, the United Kingdom and the United States, nevertheless, considered that

preliminary studies should be made by the Secretariat before independent experts were called upon or recommendations proposed. The representative of Sweden, who declared his preference for direct study by a group of independent experts, subsequently revised (E/L.396/Rev.1 and E/L.396/Add.2) his proposal in the light of this suggestion.

At its 638th plenary meeting on 10 July the Council adopted the revised draft resolution by 11 votes to 3, with 3 abstentions, as resolution 426 B (XIV). It read:

"The Economic and Social Council,

"Bearing in mind that the attainment and maintenance of full employment are among the principal objectives of the United Nations,

"Appreciative of the reports thus far prepared in accordance with Council resolution 290 (XI) concerning certain aspects of the problems connected with full employment,

"Considering that, to attain and maintain a stable condition of full employment, it is necessary not only to prevent depression and structural unemployment but also to combat inflation,

"Considering, further, the possibility that full employment or rapid increases in employment rates may strengthen or give rise to inflationary tendencies unless adequate measures are taken to check such tendencies,

"Concluding that the problem of how to attain and maintain full employment without inflation needs further consideration,

"Requests 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."

(2) A draft resolution by Mexico and Uruguay (E/L.406/Rev.1). The sponsors of this draft felt that an analysis by the Secretary-General of the replies of governments to the questionnaire concerning full employment objectives, policies and measures should be made available to the Council regularly and in sufficient time for its annual discussion of the problem of full employment. They accordingly proposed, and the Council accepted, by 15 votes to none, with 3 abstentions, at its 636th plenary meeting on 9 July, as resolution 426 A (XIV), that the Secretary-General submit future questionnaires to governments as early as possible. By the same resolution, the Council also invited governments to submit adequate and timely replies, enabling the Secretary-General to prepare an analysis of such a nature as to facilitate the Council's consideration of the full employment problem.

D. WORLD FOOD SUPPLIES

At its sixth session, the General Assembly adopted resolution 525 (VI)⁴⁵ urging governments to adopt a variety of measures to increase food production and facilitate food distribution. It also requested the Secretary-General, in consultation with the Directors-General of FAO and WHO and the executive heads of other organizations concerned, to prepare for consideration by the Economic and Social Council at its fourteenth session recommendations for procedures to ensure prompt concerted and effective action by governments, intergovernmental organizations and voluntary agencies in the event of actual or potential famines of an emergency character arising from natural disasters.

1. Consideration by the Economic and Social Council at its Fourteenth Session

a. FOOD AND FAMINE

The Secretary-General accordingly presented a report (E/2220) to the Council's fourteenth session. The report suggested basic procedures which might be adapted to varying types of emergency circumstances. It reviewed:

The measures which could be taken in advance or on short notice by governments of countries subject to famine emergencies; the role of FAO in assessing potential famine situations and notifying the Secretary-General; the procedures available to the United Nations in co-ordinating assistance from governments, intergovernmental organizations and voluntary agencies; and possible procedures for assisting in the financing of emergency famine relief.

The Council also had before it, for information, a communication dated 14 June 1952 from the Director-General of FAO (E/2261) containing an extract from the report of the fifteenth session of the Council of FAO dealing with the question of food shortages and famine and, in particular, the establishment of an emergency food reserve. This report stated that a working party of experts would give further study to the problem involved in such a reserve and that a report of the Working Party and the secretariat would be presented to the next session of the FAO Council.

The Council discussed the Secretary-General's report and the communication from the Director-General of FAO at its 622nd and 623rd plenary meetings on 27 June and at its 625th plenary meeting on 30 June 1952.

It had before it a joint draft resolution by Iran, the United States and Uruguay (E/L.373/Rev.3)

based on the Secretary-General's report which had been revised to incorporate drafting changes orally suggested by Argentina and the United Kingdom.

The joint draft resolution (for text adopted by the Council see below) provided that the Council would recommend: arrangements to be made by governments of countries which might be subject to famine emergencies; encouragement of relief activities; the development of FAO arrangements for famine detection; and co-ordination by the Secretary-General of famine emergency relief activities.

The USSR submitted an amendment (E/L.385) to the joint three-Power draft resolution which would state, as a guiding principle, that the rendering of assistance to areas suffering from food shortages and famine should not be made conditional on the granting of political, economic or military privileges to the countries rendering assistance.

Cuba submitted an amendment (E/L.386) to the USSR amendment, to refer to Assembly resolution 525(VI) which had already contained the guiding principle embodied in the USSR amendment.

The representatives of Argentina, Belgium, Canada, China, Egypt, France, Iran, Pakistan, the United Kingdom and the United States, among others, made statements stressing the need for international action to combat famine and expressing their government's support for such action. There was general appreciation of the report of the Secretary-General and of the decision of FAO to continue its study of the problems presented by the possible establishment of an emergency food reserve. General support was also expressed for the joint three-Power draft resolution.

The representative of the USSR, after reviewing the progress achieved by his country in agricultural production and in combating famine, stated that some countries with food surpluses had agreed to help famine-stricken countries in exchange for political, economic or military privileges. He had therefore submitted his amendment which was designed to ensure that assistance would be genuinely humanitarian.

Several representatives, among them those of Canada, China, Cuba, Iran, the Philippines and the United States, considered that the USSR amendment cast a slur on the integrity of Members and was designed for propaganda purposes.

⁴⁵ See Y.U.N., 1951, pp. 435-36.

The principle stated in the USSR amendment had already been adopted by the Assembly in paragraph 8 of resolution 525(VI) and did not need to be repeated by the Council.

The representative of Cuba orally revised his amendment to the USSR amendment. The revised sub-amendment would have the Council "reaffirm" the guiding principle already adopted by the Assembly in resolution 525(VI) and then restate the principle as proposed by the USSR. The representatives of Iran and the United States said they could agree to the USSR amendment as amended by Cuba.

The representative of the USSR accepted the Cuban amendment to his amendment. The representative of Uruguay, however, proposed that the USSR amendment should be altered to refer only to areas suffering from famine and not to areas suffering from "food shortages and famine". His proposal was adopted by 7 votes to 3, with 8 abstentions.

At the request of the USSR, the vote on the USSR amendment, as amended by Cuba and Uruguay, was taken by roll call and was unanimously adopted, as follows:

In favour: Argentina, Belgium, Canada, China, Cuba, Czechoslovakia, Egypt, France, Iran, Mexico, Pakistan, Philippines, Poland, Sweden, USSR, United Kingdom, United States and Uruguay.

Against: None.

Abstentions: None

The joint draft resolution (E/L.373/Rev.3), as amended, was also adopted unanimously as resolution 425(XIV). It read:

"The Economic and Social Council,

"Being deeply conscious of the wish of the peoples of the United Nations, as expressed in resolutions of the General Assembly and of the Conference of the Food and Agriculture Organization, to be prepared to come to the aid of people in any country whenever the vagaries of nature may visit upon them famine emergencies with which their governments are unable to cope,

"Recognizing that such famine emergencies may sometimes occur despite every effort to solve the continuing problem of world food shortages through increases in food production,

"Having before it the report prepared by the Secretary-General on procedures for international action in the event of emergency famines arising from natural causes,

"1. Recommends:

"(a) That governments, inter-governmental organizations and voluntary agencies prepare themselves to act in concert promptly and effectively in the event of such famine emergencies, and, in particular, that governments of countries which may be subject to famine emergencies requiring international relief assistance

make appropriate advance arrangements for the designation of ministries or agencies to be responsible when need arises for carrying out famine relief activities in their territories; these activities should include: (i) the mobilization of local resources; (ii) liaison with other governments and organizations; (iii) the co-ordination of the activities of national voluntary agencies; (iv) the provision of transport, direct distribution mechanisms and other facilities for delivering available food to famine areas; (v) suitable publicity to assure fullest public co-operation in local and international relief activities; and (vi) the preparation of reports to the United Nations;

"(b) That governments obtain authority for the suspension of customs duties and other barriers to the emergency importation of food into their territories;

"(c) That, in these arrangements, the famine relief activities of local and international voluntary agencies be given fullest opportunity and encouragement, and support be given for the establishment and co-operation of duly organized voluntary organizations such as the national Red Cross and Red Crescent Societies noted in General Assembly resolution 55 (I);

"(d) That the Food and Agriculture Organization continue to develop and perfect its arrangements to detect famine emergencies as early as possible, ascertain their scope and probable duration, and advise the Secretary-General promptly when international action is needed; and

"(e) That the Secretary-General, as circumstances may require, arrange for co-ordination of the famine emergency relief activities, and seek the co-operation of inter-governmental organizations, governments and voluntary agencies through consultation and other appropriate mechanisms, and report to the Economic and Social Council on action under this resolution;

"2. Reaffirms the guiding principle already adopted by the General Assembly in resolution 525 (VI), namely that the rendering of assistance to areas suffering from famine should not be made conditional on the granting of political, economic or military privileges to the countries rendering such assistance; and

"3. Commends the Food and Agriculture Organization for the study, begun by its secretariat and being carried forward by a committee of experts set up by its Council, to determine whether suitable ways and means can be found for establishing an emergency food reserve which would increase the ability of the United Nations to come to the aid of peoples threatened by famine emergencies."

b. INCREASE IN FOOD PRODUCTION

The Council at its fourteenth session also discussed ways and means of increasing food production. It had before it the report (E/2195/Add.1-3) of the Food and Agriculture Organization of the United Nations (FAO). The report consisted of four parts:

(1) a covering report to the Council (E/2195); (2) the report of the Director-General on the work of FAO (E/2195/Add.1); (3) programme of work (E/2195/Add.2); and (4) report of the sixth session of the Conference held in November 1951 (E/2195/Add.3).

The world food situation was also referred to during the discussion of the World Economic Report at the Council's 589th to 594th and 598th to 601st plenary meetings from 3 to 6 and from 10 to 12 June. At that time the representatives of Canada, France, the United Kingdom and the United States, in particular, maintained that urgent steps were necessary to increase world food supplies, which had lagged behind industrial production. The representative of the United States emphasized the necessity of increasing food supplies not only by reclamation of land but also by increasing the yield of land already in use.

The report of FAO stated that in 1937 the Mixed Committee of the League of Nations on Nutrition in Relation to Health, Agriculture and Economic Problems had reported that not less than half of the world's population suffered from malnutrition and in some degree from under-nutrition. It referred to papers presented at the sixth session of the FAO Conference which showed that the aggregate production of the principal food crops in all countries, excluding the USSR, was estimated in 1948-50 to be 7 per cent above pre-war 1934-38. Furthermore since from 1936 to 1948-50 the estimated population increased by 12 per cent, aggregate supplies per head in 1950-51 were still below pre-war level, which, as the findings of the Committee of the League of Nations showed, were seriously insufficient. The report then discussed the dependence of large areas of the world like the Far East and the Near East and, to a certain extent, Europe on food surplus areas like Argentina, Australia, Canada and the United States. It stated that if the position of food-importing countries was to be safeguarded, increases of food production in countries having considerable potential food resources were urgently required. Nevertheless, large supplies in exporting countries alone could never bridge the gap between food requirements and the level of food production. The entire scale of food production, especially in the less developed areas, must, the report said, be raised if the problem was to be solved.

The Council discussed FAO's report at its 604th, 610th and 611th meetings, held respectively on 13, 18 and 19 June, 1952.

The report was supplemented by a statement of the representative of FAO in which he said that the Conference of FAO at its sixth session, recognizing the gravity of the food problem, had called upon governments to secure an increase in food production in excess of the rate of population growth. Although it was technically possible greatly to expand world food production, there

were often considerable administrative, social and political difficulties. FAO tried to play its part in assisting governments to overcome those difficulties and it relied on the Economic and Social Council and the General Assembly to stress more insistently the need for improvements in the administrative and social fields so that food production could be increased. The growing awareness that inequitable land tenure systems were one of the main obstacles to increased food production was, he said, largely due to debates in the Council and the Assembly and to their recommendations to governments on that subject. The Conference had also recommended that all FAO member States should prepare five-year agricultural development plans suited to the conditions in their countries to meet the new production targets and carry them out without delay; it had further instructed the Director-General of FAO to assist governments, upon request, in the preparation of such plans. However, he stated, these plans could be put into effect only if action was taken in each country at the farm level. With this in view the FAO Conference had urged the need for the establishment and development of demonstration services. The representative of FAO also suggested that the Council consider price incentives to encourage production in order to enable farmers to sell their products in stable markets and at profit.

A majority of representatives, among them those of Argentina, Belgium, France, Iran, Pakistan, Sweden, the United Kingdom and the United States, generally commended FAO for its programme and urged the need for technical assistance to increase the output for food in underdeveloped countries. Pilot projects were mentioned as a useful means of demonstrating new production techniques to farmers. However, some representatives noted that the application of these new techniques often carried financial burdens which the farmers in many areas were not in a position to assume without financial assistance. The representative of Pakistan referred to the probability that the introduction of expensive machinery might prove difficult in some areas already under cultivation because it would involve outlay for imports and might cause unemployment.

The representative of France stated that in order to increase production it was necessary to give farmers an assurance of adequate returns.

The representative of Argentina noted that currency difficulties prevented the expansion of international trade in foodstuffs. The representative of the United States stressed the importance of land reform and welcomed the effort made in

that direction by the United Nations, FAO and other specialized agencies.

The representative of Poland stated that FAO had failed in its task of ensuring better production and distribution of agricultural products and foodstuffs and of raising the standards of living of rural populations. He held that FAO's technical activities had not yet contributed effectively to improving the food situation of many countries.

France and Iran submitted a joint draft resolution (E/L.362/Rev.1) which was adopted by the Council with a minor change, at its 611th plenary meeting on 19 June, by 15 votes to none, with 3 abstentions as resolution 424 (XIV). The only change was one proposed by the United Kingdom and accepted by the sponsors to note the FAO report "with satisfaction." The resolution read:

"The Economic and Social Council,

"Taking note with satisfaction of the report of the Food and Agriculture Organization of the United Nations to the Council at its fourteenth session.

"Noting the statement of the Director-General of the Food and Agriculture Organization to the effect that the production of foodstuffs is not increasing at the same rate as the population, and noting that food supplies per capita are still less than before the Second World War, when more than half the population of the globe was already suffering from malnutrition,

"Noting the opinion expressed by the Conference of the Food and Agriculture Organization that it is necessary to increase the production of the principal foodstuffs and other essential agricultural products in a co-ordinated manner and at an annual rate which exceeds by from 1 to 2 per cent the rate of increase of the population, and that the result thus to be attained is the minimum necessary to achieve some improvement in nutritional standards,

"1. Recommends that all Member States should help to achieve this general objective by preparing and executing agricultural development programmes adapted to conditions in their respective countries;

"2. Recommends that the Food and Agriculture Organization should continue to give special attention to any requests made by under-developed countries for technical assistance in the preparation and execution of such programmes."

2. Consideration by the General Assembly at its Seventh Session

The food situation was again discussed by the General Assembly at its seventh session during its consideration of Chapter II of the report (E/2172) of the Economic and Social Council. The problem was discussed at the 240th to 244th meetings of the Second Committee from 13 to 18 December and at the Assembly's 411th plenary meeting on 21 December 1952.

Discussion in the Second Committee centred on a draft resolution (A/C.2/L.194/Rev.1) submitted by Ecuador. According to this draft, the Assembly would note the statements of the Director-General of FAO that food production was not increasing at the same rate as population and recognize the urgency of the problem and the necessity of devising measures to increase food production with a view to fostering the economic development of the producing countries and relieving hardships in countries threatened by food shortage. Considering that such measures called for international action by all relevant international bodies, particularly the United Nations, the Assembly would draw the attention of the Economic and Social Council, of the specialized agencies and the Technical Assistance Board to the need for joint action. It would also request the Economic and Social Council to include in its annual reports a special section describing the action taken by the United Nations and the specialized agencies to deal with the problem.

Outlining the purpose of his draft resolution, the representative of Ecuador stressed the gravity of the world food situation and expressed the willingness of his Government to receive immigrants to develop the fertile coastal areas of Ecuador. He suggested also that a conference of representatives of governments and international organizations should be convened to discuss the problem.

The representative of Pakistan stated that while agricultural production was of great importance the fact should be kept in mind that industrial production also contributed to increases in agricultural output. For example, he said, development of hydro-electricity makes it possible for large areas to be irrigated and made productive.

The representative of Australia, while in favour of the draft resolution, suggested that the paragraph referring to specialized agencies should specifically mention FAO. The representative of Ecuador accepted the suggestion.

The representative of the USSR, while agreeing with the necessity of increasing food production, stated his opposition to the "neo-Malthusian" argument which, he said, ascribed the shortage of food to the increase in population. He suggested that land reform and the use of modern agricultural methods were the remedies. He considered the wording of the draft resolution open to misinterpretation as it might suggest that all food producing countries, including some industrialized countries, needed help in their economic development.

After further discussion, the representative of Ecuador accepted a suggestion by the representative of the Philippines to replace the words "producing countries" in the draft resolution by the words "under-developed countries".

At its 244th meeting on 18 December the Second Committee adopted the Ecuadorean draft resolution, by paragraphs, and then as a whole. The separate paragraphs and sub-paragraphs were adopted by votes, ranging from 36 votes to none, with no abstentions, to 31 votes to none, with 5 abstentions. The draft resolution as a whole, as amended, was adopted by 31 votes to none, with 5 abstentions.

The report (A/2350) of the Second Committee containing the draft resolution adopted by it was considered by the General Assembly at its 411th plenary meeting on 21 December 1952. The General Assembly adopted the draft resolution recommended by the Second Committee by 50 votes to none, without debate, as resolution 628 (VII). It read:

"The General Assembly,

"Bearing in mind the resolutions of the General Assembly and of the Economic and Social Council relating to the need for promoting the increased production of food in the world,

"Noting the statements of the Director-General of the Food and Agriculture Organization of the United Nations to the effect that the production of foodstuffs is not increasing at the same rate as the population, and noting that food supplies per capita are still less than before the Second World War when more than

half the population of the globe was already suffering from malnutrition,

"Recognizing:

"(a) That the problem of the shortage of foodstuffs is of extreme importance and the greatest urgency to all mankind since it affects its very existence—and particularly to the peoples of the countries most immediately threatened by food shortage,

"(b) That it is necessary to devise effective measures for increasing the aggregate production of foodstuffs with a view to fostering the economic development of under-developed countries and the relief of hardships caused by food shortages, particularly in the countries most immediately threatened,

"Considering:

"(a) That such measures call for co-ordinated, joint and effective international action by the Food and Agriculture Organization and all other international bodies which may be in a position to assist in increasing agricultural production, particularly of foodstuffs,

"(b) That it is incumbent upon these organizations, and particularly the United Nations, to give special attention to co-ordinated international action in this field,

"1. Calls the attention of the Economic and Social Council, of the specialized agencies concerned, and of the Technical Assistance Board to the increased need for co-ordinated and joint action with regard to the problem of increasing food production, particularly in the countries most immediately threatened by food shortage;

"2. Requests the Economic and Social Council to include in its annual reports to the General Assembly a special section with regard to action taken by the United Nations and the specialized agencies on the problem of continuing lack of an adequate production of foodstuffs."

E. SHORTAGE OF INSECTICIDES

At its fourteenth session, the Economic and Social Council considered the report (E/2183 and Corr. 1) of the working party it had requested (resolution 377 (XIII)) to examine the world position regarding the supply and requirements of the insecticides DDT and BHC and to make recommendations if a significant shortage were disclosed. The Council considered the question at the 124th meeting of the Economic Committee on 24 June and at its 628th plenary meeting on 2 July.

The working party met in Geneva in February; it consisted of representatives of the following producing or consuming countries: Argentina, Brazil, Ceylon, Egypt, France, Italy, the Netherlands, Switzerland, the United Kingdom and the United States and was assisted by representatives from WHO, FAO and UNICEF. On the basis of available statistics for production, capacity, exports

and requirements for 1951 and estimates for 1952, the working party found that supplies of these insecticides had increased considerably since the middle of 1951 and that a significant shortage no longer existed. Further increases of supply could be anticipated both in the major producing countries and in countries such as Argentina, Ceylon, Egypt, India, Pakistan, and the Union of South Africa, where manufacturing plants are projected or nearing completion. The working party stressed, however, the inadequacy of its data, particularly as to agricultural requirements of insecticides and the increasing demand to be expected for both health and agricultural uses.

Since an immediate shortage was not disclosed, under its terms of reference the working party made no recommendations but instead offered various observations. It noted the increasing availability of raw materials for these insecticides and

the need for the continuation and extension of research in the entire field to meet problems such as that raised by the appearance of resistant insect strains. It expressed the hope that there would be a continuation of the tendency to reduce barriers to trade in insecticides. Certain trade difficulties, it considered, might be removed if: (1) different agencies co-ordinated their requests and thus avoided duplication of orders; (2) consumers placed their orders earlier to ensure continuous production and a lower and less fluctuating cost and maintained sufficient stocks to prevent short-term difficulties; (3) the terminology and specifications recommended by the WHO Expert Committee on Insecticides were adopted for health purposes and, perhaps, similar standards for agricultural requirements worked out; and (4) supplying countries eased the issuance of export licences. The working party also suggested the Statistical Office of the United Nations might consider whether some improvement could be made in the collection and dissemination of data on supplies and requirements of insecticides, and that a meeting in 1953 of a working party with wider terms of reference might be advisable.

In discussion of this report in the Council's Economic Committee the representatives of Canada, Egypt, France, Pakistan, the United Kingdom and the United States expressed agreement with the finding that no great shortage currently existed. They considered that the working party should not be reconvened at present, and that FAO and WHO were the appropriate agencies to watch developments. They agreed on the need for better statistical information. The representative of Czechoslovakia criticized the report for not making recommendations for the prevention of all discrimination in the granting of export licences, stating that many countries, especially the United States, secured a political advantage from a shortage of insecticides. The representatives of Argentina, China and Egypt stressed the need for an adequate supply of insecticides for both health and agricultural purposes, particularly in underdeveloped countries where, they suggested, the erection of manufacturing plants might be encouraged under the Expanded Programme of

technical assistance as well as by current assistance from UNICEF and WHO. The representative of the United Kingdom reminded the Committee of the existence of the Joint Working Party of the Economic Commission for Asia and the Far East (ECAFE), UNICEF, WHO and FAO which was studying the supply and needs for insecticides and considering the possibility of building new factories in the ECAFE area.

A draft resolution (E/AC.6/L.53) was proposed jointly by Argentina, Pakistan, the Philippines and the United States, who accepted an oral amendment proposed by the representative of Egypt to delete the reference in the fourth paragraph (see below) to the continuation of the "present favourable" situation. The representative of Egypt considered that the situation with regard to insecticides was not as favourable as was implied.

The draft resolution, as amended, was adopted by 15 votes to none, with 3 abstentions, by the Economic Committee (E/2273) and by the Council by 15 votes to none, with 3 abstentions, as resolution 422 (XIV). It read:

"The Economic and Social Council

"1. Takes note of the report of the Working Party which was convened in accordance with Council resolution 377 (XIII) to examine the world position regarding the supply of DDT and BHC;

"2. Expresses its appreciation to the members of the Working Party for their study of this question;

"3. Notes the finding of the Working Party that at the present time a significant shortage of these insecticides does not exist;

"4. Commends the report of the Working Party to the Members of the United Nations and of the specialized agencies concerned for their serious consideration and detailed examination, and urges them most strongly to pay particular attention to the implementation, in so far as possible, of the recommendations of the Working Party, particularly those relating to the need for continued research on the use of newer insecticides with special emphasis on the problem of the development of resistant insect strains, the time of placing of orders, and the further removal of restrictive trade barriers, in order that the situation may be further improved; and

"5. Decides to consider at some future date the need for any further meeting of the Working Party in the light of any significant change in the demand-supply situation in respect of insecticides."

F. PRODUCTION AND DISTRIBUTION OF NEWSPRINT

At its 654th plenary meeting on 22 July 1952, the Economic and Social Council considered the question of the production and distribution of newsprint and printing paper. It had before it the report of the Secretary-General (E/2241),

submitted in accordance with resolution 374 (XIII),⁴⁶ describing the measures that had been taken to alleviate the immediate crisis in supply and to improve the long-term situation.

⁴⁶ See Y.U.N., 1951 pp. 428-29.

The report stated that UNESCO had intensified its campaign to warn the public of the serious consequences arising from a shortage of newsprint, and that to meet the immediate crisis the Pulp and Paper Committee of the International Materials Conference (IMC) had recommended emergency allocations during the eight months ended 31 January 1952. At its April 1952 meeting the Pulp and Paper Committee concluded that the shortage had been largely relieved and allocations were no longer necessary at that time, and in May the Timber Committee of the Economic Commission for Europe (ECE) noted the improvement in over-all supply since the third quarter of 1951.

As to long-term efforts aimed at increasing world supplies of newsprint and printing paper, the Conference of the Food and Agriculture Organization (FAO) meeting from November to December 1951 had concluded that FAO bore a major responsibility in this field and recommended actions to be taken by the organization and its Member Governments. Following the Conference, FAO initiated action concentrated mainly on: (1) the appraisal of future demand; (2) the expansion of capacity in the traditional producing areas; (3) technical progress in pulp-making methods; and (4) local exploration of conditions for the establishment of pulp and paper industries and selection of appropriate sites.

Included in the action reported was the issue by UNESCO to 147 countries and territories of a questionnaire prepared in consultation with FAO which requested information on consumption and on immediate and future requirements for newsprint and printing paper. A joint ECE/FAO study on European timber trends and a joint ECLA/FAO study on trends in pulp supply and requirements in Latin America were in hand. Surveys and inquiries were being conducted in a number of industrialized countries to secure information on plans for increasing pulp and paper capacity. FAO planned to hold a meeting of experts towards the end of 1952 to review the current state of

knowledge regarding the manufacture of pulp and paper from available raw materials and the possibilities of applying new processes on an industrial scale.

Governments of countries not currently major producers but which seemed to offer reasonable possibilities for the establishment of pulp and paper factories were advised by FAO of its willingness to send short-term exploratory missions. Arrangements for the dispatch of such missions were concluded with sixteen countries; seven others, where forestry missions were already at work, had requested pulp and paper experts. Competent authorities in the United Kingdom, France and Belgium were approached by FAO with regard to investment possibilities in their dependent territories, particularly in Africa. Paper experts for Burma and the Philippines had been provided by the United Nations, which also awarded or recommended thirteen fellowships for study in the field, and included special lectures on forestry in the training centres conducted by it in various regions. In the course of its normal duties the International Bank for Reconstruction and Development made or considered loans to assist in increasing pulp production or the manufacturing capacity of paper mills including a loan of \$20 million to the Bank of Finland.

The Council had before it also a draft resolution (E/L.438) proposed jointly by Canada, Egypt, France, Mexico and the United States. After referring to the report, the draft resolution would have the Council:

(1) note the improvement in supply since its previous session and the favourable short-term prospects; (2) express the opinion that, consequently, no immediate international action was necessary; (3) request the Secretary-General and the specialized agencies to continue their efforts in connexion with the long-term action requested in Council resolution 374 (XIII); and (4) ask the Secretary-General to report to the Council in 1954 unless fresh developments justified an earlier report.

The resolution was adopted by the Council as resolution 423 (XIV) by 15 votes to none, with 3 abstentions.

G. TRANSPORT AND COMMUNICATIONS⁴⁷

The Transport and Communications Commission, in accordance with Council resolution 414 (XIII), did not hold a session in 1952. Activities in the field of transport and communications continued and the preparatory work for the sixth session of the Commission, scheduled to be held in February 1953, was carried on in accordance

with the decisions taken by the Council in resolution 379 (XIII).⁴⁸

⁴⁷ For ratifications of Convention on the Inter-Governmental Maritime Consultative Organization, see under that heading, Part II Specialized Agencies.

⁴⁸ See Y.U.N., 1951, pp. 436-43.

1. Entry into Force of the Convention on Road Traffic

The Convention on Road Traffic, opened for signature at the United Nations Conference on Road and Motor Transport in Geneva in 1949, entered into force on 26 March 1952. The following twelve States had ratified or acceded to the Convention as of 18 December 1952 (E/CN.2/138): Cuba, Czechoslovakia, France, Greece, Italy, Luxembourg, Monaco, the Netherlands, the Philippines, Sweden, the Union of South Africa and the United States. Cuba, France, Italy, Luxembourg, the Union of South Africa and the United States had also ratified the Protocol Concerning Countries or Territories at Present Occupied.

The Protocol on Road Signs and Signals, concluded at the same Conference, had, as of 7 December 1952, been ratified by Cuba, Czechoslovakia, Greece, Italy, Luxembourg, the Netherlands and Sweden and acceded to by Monaco. By the end of 1952 the Protocol had received the required number of ratifications or accessions and, in accordance with its Article 58, is to enter into force on 20 December 1953.

2. Road Signs and Signals

The Group of Experts on Road Signs and Signals, established in accordance with Council resolution 272(X), held its third session from 23 June to 18 July 1952 in New York and completed its study of the problem of devising a unified world-wide system of road signs and signals. It prepared a draft convention embodying such a system which was included in the final report of the Group of Experts to the Transport and Communications Commission (E/CN.2/119; E/CN.2/CONF.1/12). The system contained in the draft convention has many uniform features but in some cases permits the use of alternative solutions.

The Group of Experts, in their report, expressed the opinion 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 decided to omit from the draft convention any indication of a period of time during which the introduction of uniform signs and signals should be accomplished by governments.

Article 41 of the draft convention provides that it shall terminate and replace in the relations between Contracting States the provisions of the

1931 Convention Concerning the Unification of Road Signals and the 1949 Protocol on Road Signs and Signals.

3. Licensing of Motor Vehicle Drivers

The Committee of Experts on Licensing of Motor Vehicle Drivers, established in accordance with Council resolution 379 B (XIII) met from 29 September to 24 October and prepared a report (E/CN.2/133; E/CN.2/CONF.2/3 and Corr. 1 and 2 and Add.1) for submission to the Commission. The report contained draft uniform minimum 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 certain draft general provisions applicable to international traffic for consideration as an annex to the Convention on Road Traffic.

The Committee noted that its recommendations with regard to mental and physical fitness of drivers were provisional and recommended that the assistance of the World Health Organization (WHO) be sought with respect to the requirements and methods of determining mental and physical fitness of applicants for driving permits.

4. Transport of Dangerous Goods

The Economic and Social Council, in resolution 379 E (XIII), instructed the Secretary-General to examine, in consultation with international and, where appropriate, national bodies, the various aspects of the problem of the transport of dangerous goods with a view to determining which of these aspects are appropriate for uniform, or approximately uniform, regulation with respect to the various means of transport. He was asked to report to the Commission at its sixth session on the results of the examination.

The Secretary-General carried out this examination during 1952 in consultation with the competent organizations. The results of the examination and recommendations for further action were embodied in a report to the Commission (E/CN.2/126 and Corr.1).

5. Customs Formalities for the Temporary Importation of Private Vehicles and for Tourism

Council resolution 379 D(XIII) instructed the Secretary-General to circulate to governments the draft International Customs Convention on Tour-

ing, prepared under the auspices of the Economic Commission for Europe, together with the proposals submitted jointly by the World Touring and Automobile Organization (OTA) and the International Union of Official Travel Organizations (IUOTO). He was asked to request the views of governments on:

(1) the desirability of concluding international conventions on customs formalities for: (a) the temporary importation of private vehicles and their equipment,

and (b) tourism (i.e., the personal effects of tourists travelling by any means of transport); and (2) the suitability of the drafts mentioned above as a basis of discussion for concluding such conventions.

The Secretary-General, accordingly, circulated the documents to governments for comment, and prepared a report containing these documents, together with the comments from governments for consideration by the Commission at its sixth session (E/CN.2/135).

H. FISCAL QUESTIONS

The Fiscal Commission, whose fourth session is scheduled to be held from 27 April to 8 May, 1953, did not meet in 1952. Accordingly, the Secretariat continued in the fiscal field to carry out the work programme recommended by the Fiscal Commission at its third session and approved by the Economic and Social Council in its resolution 378(XIII).⁴⁹ In implementing this programme, the Secretariat, in compliance with the priorities set up in this resolution, was mainly concerned with:

(1) rendering technical assistance to under-developed countries in the fiscal field; (2) expanding and developing its activities as an international fiscal information service; (3) carrying on work on budgetary management for economic development; and (4) investigating the impact of tax factors on private foreign investment.

In addition, the Secretariat initiated, jointly with the Food and Agricultural Organization (FAO), a study on the tax burdens of agriculture and undertook a certain number of tasks in connexion with the requirements of regional economic commissions.

In the field of technical assistance, new requests for experts on budgetary and tax policy and fiscal administration were acted upon during the year; United Nations missions sent to El Salvador, Libya and Afghanistan included fiscal experts. Expert advice was given to the Government of Israel. Missions to Colombia, Ecuador and Haiti, organized in previous years, continued their work on fiscal problems.

To evaluate the growing fund of knowledge and experience accumulated by technical assistance missions in the fiscal field, a conference on comparative fiscal administration was organized in Geneva from 16 to 25 July, 1951.⁵⁰ The conference brought together experts who had given technical assistance and those from countries which had received such assistance. They jointly undertook a comparative evaluation of proposed fiscal techniques so as to provide significant factual information and develop policy approaches that

could serve as guidance for future missions. The report on this conference, published in 1952, summarizes the discussions at the conference, which covered mainly the fields of personal income taxation, taxation of business, capital gains taxation, net worth taxation, taxation of agriculture and the technique of indirect taxation. The report also contains digests of fiscal recommendations included in reports of selected technical assistance missions.

The Fiscal Division of the Department of Economic Affairs of the Secretariat also co-operated during the year with the Technical Assistance Administration in the selection, briefing and training of fellows and scholars in the fiscal field.

Through its fiscal information service, established originally in pursuance of Economic and Social Council resolution 67(V), the Secretariat continued to publish and work for the improvement of public finance statistics. In preparing the country tables contained in the public finance chapter of the Statistical Yearbook, 1951-1952, further refinements and additional data were provided. In addition, a study, "Public Finance Statistics, 1938-1950", was initiated, giving more detailed information on government expenditure, receipts and public debt outstanding. Such information has hitherto been available only for countries covered by Public Finance Surveys and Public Finance Information Papers.⁵¹

In the budgetary field, a study was published, entitled *Government Accounting and Budget Execution*⁵² dealing with the general requirements for an adequate system of central government accounting and budget execution. The study

⁴⁹ See Y.U.N., 1951, p. 443-46.

⁵⁰ See Y.U.N., 1951, p. 443.

⁵¹ See Y.U.N., 1951, p. 445. Public Finance Surveys: Venezuela, India, U.N.P. Sales Nos.: 1951.XVI.2 and 1952.XVI.1; Public Finance Information Papers: Iran, Iraq, Egypt, Colombia, Italy, Peru, U.N.P. Sales Nos.: 1951.XVI.4,6,7,8 and 9, and 1952. XVI.2, respectively.

⁵² U.N.P. Sales No.: 1952.XVI.3.

examines the nature of accountability and sets forth the accounting practices which are necessary for effective management and control of government operations. In a separate section a detailed examination was made of the execution and accounting systems employed in France, the Netherlands, Sweden and the United States.

Work was also initiated on a "Manual for the Classification of Government Accounts", which is to serve as a working tool for budget administrators, especially in connexion with technical assistance requirements. The Manual will contain recommendations on the practical application of the principles analysed in an earlier study published in 1951, entitled *Budgetary Structure and Classification of Government Accounts*,⁵³ Model sets of accounts will be provided with item-by-item classifications of government expenditures and receipts, according to their object and character, as well as model sets of accounts for public undertakings and social insurance schemes.

The practice of publishing a regional public finance survey each year as a separate chapter of the Economic Survey for Asia and the Far East, at the request of the Economic Commission for Asia and the Far East, was continued. The chapter in the 1951 survey placed particular emphasis on the effects of fiscal policy in combating the inflationary pressures arising from the Korean conflict.

In pursuance of its continuing inquiry into the role of taxation in promoting the flow of private investment capital to under-developed countries, the Secretariat initiated a study, entitled "Taxation in Capital-Exporting and Capital-Importing Countries of Foreign Private Investment in Latin America." The special orientation toward Latin America was in accordance with requests by the Economic Commission for Latin America (resolution 3(IV) and the Economic and Social Council (resolution 416 D (XIV)).⁵⁴

A first volume of this study, entitled *United States Income Taxation of Private United States Investment in Latin America*, was prepared for publication in March 1953. It is the purpose of this volume to evaluate the impact of United States tax law on income derived from outside the United States, both from the viewpoint of the United States investor—using different forms of doing business with varying tax results—and from the perspective of the Latin American countries and their tax systems. The study also analyses the proposals currently under discussion for changes in the relevant provisions of the United States Internal Revenue Code.

It is intended to continue this study through similar inquiries into the tax systems of other capital exporting countries and of selected countries in Latin America. Among the latter, studies on Brazil, Chile and Mexico were in preparation at the end of the year.

A new study on "Corporate Tax Problems" (E/CN.8/66 and Addenda),⁵⁵ in the nature of a progress report, was issued late in 1952. This study, which is a continuation of the first preliminary report submitted to the third session of the Fiscal Commission under the title "Comparative Approach to National and International Corporate Tax Problems" (E/CN.8/55), deals with corporate tax problems in both developed and under-developed countries, and gives special consideration to the contribution of corporate taxation to economic development.

In the field of international tax problems, the Secretariat has continued the analysis of the taxation of foreign nationals, assets and transactions undertaken under Economic and Social Council resolution 378 B II (XIII).⁵⁶ A first comparative study (E/CN.8/68), "Taxation of Foreign Taxpayers and Foreign Income", presents an integrated picture of the tax treatment in selected countries of foreign taxpayers and foreign income as it results from the combined impact of national legislation and international tax agreements. This study is limited to taxation of income and profits and covers Argentina, Canada, Israel and New Zealand.

The Secretariat continued the publication of the series, *International Tax Agreements*, which contains the texts of all international agreements for the avoidance of double taxation and the prevention of fiscal evasion. Volume IV, scheduled for publication toward the end of 1953, will contain some 50 new agreements signed since the beginning of 1951 and a few earlier agreements not previously published. It will also bring up-to-date the preceding volume, *World Guide to International Tax Agreements, 1843-1951*,⁵⁷ which contains comprehensive and detailed tables giving the current legal status of all known tax agreements.

⁵³ U.N.P. Sales No.: 1951.XVI.3 See Y.U.N., 1950, p. 496.

⁵⁴ See p. 371.

⁵⁵ The addenda provide summaries of the corporate tax systems of Argentina, Belgium, Canada, France, the Netherlands, the United Kingdom and New Zealand. Further summaries on Egypt, India, Israel and the United States were in preparation.

⁵⁶ See Y.U.N., 1951, p. 444.

⁵⁷ See Y.U.N., 1951, p. 445.

A review of fiscal developments, 1951-1952 (E/CN.8/74) was issued in December 1952, providing a brief factual summary of outstanding fiscal changes in Member countries during 1951 and 1952, including important legislative and administrative developments.

In accordance with Council resolution 378 I 2. (XIII)⁵⁸ investigations were pursued jointly during 1952 with the Food and Agriculture Organization on the tax burdens of agriculture. The first—fact-finding—stage covers the structure and yield of the principal types of taxes levied in different countries on land income and land produce. It is intended to undertake an analysis of these tax systems in terms of their adjustment to institu-

tional and economic changes in the post-war period and to the needs of economic development.

The Secretary-General accepted an offer of co-operation in the World Tax Service project tendered by Harvard University in response to Economic and Social Council resolution 378 G (XIII). Through the Harvard Law School Program in International Taxation, the University plans:

(1) to undertake studies in comparative and international tax problems which fit into the over-all research plan of the Secretariat; (2) to provide specialized training to tax specialists from under-developed countries who have received United Nations technical assistance scholarships; and (3) to consider the publication of a World Tax Service designed to provide a continuous service of internationally comparable information on national tax laws and administration.

I. STATISTICAL ACTIVITIES

During 1952 the efforts of the United Nations in the field of statistics were directed toward carrying out the programme approved by the Economic and Social Council as incorporated in the previous reports of the Statistical Commission. There was no session of the Commission in 1952.

Because of the increased need expressed in many countries for adequate statistical data on which to base programmes of economic and social development, the Secretary-General in carrying out the recommendations of the Statistical Commission placed increased emphasis during 1952 on assisting countries in the development of national statistics. The rendering of this assistance was made possible to an increased extent by the availability of funds under the United Nations expanded programme of technical assistance.

The responsibility of the United Nations for the improvement of international comparability and the development of international standards in the field of statistics was carried forward concurrently, as was the regular collection and dissemination of statistical data.

1. Improvement of National Statistics

During 1952 the assistance given the statistically under-developed countries by the Statistical Office in co-operation with the Technical Assistance Administration was considerably expanded. The efforts of the United Nations in this direction were co-ordinated with the technical assistance activities of the specialized agencies. The nature of the assistance given varied, depending on the particular needs of a country or area, while

at the same time efforts were made to improve national statistical services on a more general basis; for example, work was carried forward in preparing guides and manuals for the collection of economic data designed to improve basic statistical methods and procedures.

Direct assistance to requesting countries takes the following forms:

(1) The assignment of individual experts to a requesting country. Depending on the over-all needs of the country, the expert's assignment may cover the development of a specific field of statistics, his task may be the initiation or the improvement of a statistical service, or he may be requested to devote his time principally to the training of government statisticians through a national training centre.

During 1952, statistical experts were assigned to the following countries: Afghanistan, Burma, Chile, Colombia, Cuba, Greece, Haiti, Israel, Jamaica (British West Indies), Libya, Panama, Philippines and Thailand.

(2) The convening of regional training centres, conferences and seminars. The purpose of regional training centres is to bring together the technicians in a given area dealing with a particular type of statistics so as to examine, by demonstration, discussions and lectures, recommended methods and techniques in collecting and processing statistical data. During August and September 1952 the Training Centre on Vital and Health Statistics for the Western Pacific area was held in Tokyo, in co-operation with the World Health

⁵⁸ See Y.U.N., 1951, p. 446.

Organization and the Japanese Government; 32 technicians from eight countries participated. The United Nations co-operated with the Food and Agriculture Organization of the United Nations (FAO) in the Latin American Training Centre on Agricultural Statistics held from July to October 1952 in Quito, Ecuador; the Centre was attended by 60 participants from eleven countries. The United Nations continued its assistance to the International Statistical Training Centre in Calcutta, India, by the assignment of short-term lecturers.

In August 1952 the Inter-American Centre on Biostatistics was initiated in Santiago, Chile; this Centre was organized by the United Nations with the co-operation of the World Health Organization and the Government of Chile. It provides training in vital and health statistics to selected government statisticians from Latin America and is designed as a long-term project.

Seminars and conferences are intended to bring together senior government officials for the purpose of discussing common problems in a particular field of statistics. In July 1952 a seminar on Production and Price Statistics was held in Beirut, Lebanon, in co-operation with FAO. At this seminar 23 government officials from eight Middle Eastern countries discussed selected problems connected with the collection and processing of production and price data, as well as United Nations standards and recommended practices in this field.

The Second Regional Conference of Statisticians for the Asia and Far East Area, held in Bangkok in September 1952, dealt with the same subject and was sponsored by the secretariat of the Economic Commission for Asia and the Far East (ECAFE), FAO and the United Nations; 41 statisticians from seventeen countries participated.

In executing programmes of assistance in specific fields of statistics, it had become clear that a discussion of over-all organizational problems by officials directly responsible for their national statistical services would prove extremely useful. To this end, the United Nations (Technical Assistance Administration and the Statistical Office) in co-operation with the Canadian Government organized the United Nations International Seminar on Statistical Organization in Ottawa in October 1952. Thirty-two senior statistical officials from 27 countries which had previously requested United Nations assistance in statistics attended this Seminar. The lecturing staff was provided by the United Nations Statistical Office, the specialized agencies and several national statistical offices.

(3) The award of United Nations fellowships in statistics to promising statisticians from under-developed countries. The award enables the fellow to observe statistical methods and procedures in the statistically more advanced countries and has been found to meet some of the needs of the under-developed countries for personnel trained both in the theoretical as well as in the practical operational aspects of statistics. During 1952, 41 fellowships in statistics were awarded under the United Nations programme of technical assistance.

2. Development of Recommended Practices and Improvement of the International Comparability of Statistics

During the year progress was made in establishing recommended standards and practices in the following fields: the Standard International Trade Classification, definitions for trade statistics, basic industrial statistics, wholesale price index numbers, national income and social accounts, vital statistics, social statistics, and statistical sampling.

By the end of 1952 countries accounting for more than 60 per cent of the world's trade were reporting their trade figures according to the Standard International Trade Classification, adopted by the Economic and Social Council in July 1950.⁵⁹ Direct assistance was given to countries in the Far East and in Central America with a view to arriving at a rearrangement of trade data enabling international comparisons according to the Classification. As requested by the Statistical Commission, the preparation was begun of a coding manual and alphabetical index to the Classification to assist countries in coding their trade data according to the Classification.

At its sixth session held in May 1951 the Statistical Commission had recommended that the Secretary-General in consultation with qualified experts prepare a report on definitions to be applied to external trade statistics.⁶⁰ At the invitation of the Secretary-General, a group of experts met in June 1952 at United Nations Headquarters and presented a set of principles to be applied to questions of coverage, valuation, origin and destination and other aspects of trade statistics for consideration by the Statistical Commission at its seventh session in February 1953.

Following the consideration by the Statistical Commission at its fifth session in May 1950 of

⁵⁹ See Y.U.N., 1950, p. 493.

⁶⁰ See Y.U.N., 1951, p. 448.

various aspects of the collection of basic industrial statistics, proposals containing basic definitions covering items previously recommended and clarifying a number of points were prepared for submission to the Commission's seventh session.

The recommendations of a group of experts upon systems of wholesale price index numbers were circulated to national statisticians and proposals were prepared for consideration by the Statistical Commission.

In view of the fact that many countries have recently started compiling statistics of their national income and expenditure, the Statistical Commission at its sixth session had recommended that the Secretary-General should formulate guiding concepts, classifications and definitions for the measurement of national income and the construction of social accounts.

At the invitation of the Secretary-General a group of experts met at Headquarters in July 1952 and submitted a report entitled "A System of National Accounts and Supporting Tables." Following consultations with national offices and interested agencies, this report, with appropriate comments, was to be submitted to the Commission's seventh session, as well as recommendations regarding methods of collecting capital formation statistics.

As a consequence of recommendations made by the Population Commission and the Statistical Commission, the Secretary-General prepared for submission to the Commission a memorandum on the principles for a vital statistics system. These proposals incorporate comments previously made by the Commission as well as comments received from national statisticians; the principles as set forth in this memorandum are not designed as regulations or mandatory requirements but are intended to serve as guides to the establishment of vital statistics records and to improve comparability of data collected.

A preliminary study of the needs for various kinds of social statistics was also prepared for submission to the Commission's seventh session.

During 1952 the Statistical Office continued its advice to national governments upon sampling

matters and published another issue of "Sample Surveys of Current Interest".

3. Collection and Dissemination of Statistical Data

During 1952 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 are obtained from official government returns.

The Statistical Yearbook 1952 containing major economic data and the Demographic Yearbook 1952, which gives a summary of demographic data, were prepared, as well as the Yearbook of International Trade Statistics 1951, presenting commodity and trade by country data for 52 countries. These three annual publications present summary data on selected subjects and are designed as basic reference works; the need for more up-to-date information is being met by the following periodicals: Monthly Bulletin of Statistics containing current statistical information on economic and social conditions for more than 70 countries; Commodity Trade Statistics (quarterly) presenting value of imports and exports classified according to the Standard International Trade Classification; Direction of International Trade (quarterly) published jointly with the International Monetary Fund and the International Bank for Reconstruction and Development and containing monthly trade origin and destination figures for some 95 countries; Population and Vital Statistics Reports (quarterly) presenting most recently available birth and death rates and population totals for some 250 countries and territories; Statistics of National Income and Expenditure (semi-annual) presenting available up-to-date data in this field.

In addition, several publications appeared on special subjects, such as: World Energy Statistics in Selected Years 1929-1950, Retail Price Comparisons for International Salary Determination and several reports of training centres.

J. ACTIVITIES OF THE REGIONAL ECONOMIC COMMISSIONS

Increasingly effective co-ordination of global and regional economic activities, through collaboration between Headquarters, the secretariats of the regional economic commissions and several of the specialized agencies, was achieved during

the year. Active co-operation between the three regional economic commissions themselves—the Economic Commission for Europe (ECE), the Economic Commission for Asia and the Far East (ECAFE), and the Economic Commission for

Latin America (ECLA)—also increased, notably in regard to inter-regional trade and the development of the iron and steel industry.

1. Economic Commission for Europe (ECE)⁶¹

The Economic Commission for Europe held its seventh session from 3 to 18 March 1952 at Geneva (E/2187, Parts III and IV). Representatives of 25 European countries, the United States and various specialized agencies and non-governmental organizations participated.

Before the Commission were:

(a) a Note by the Executive Secretary on the decisions of the Economic and Social Council and the General Assembly bearing upon the Commission (E/ECE/144); (b) the Economic Survey of Europe in 1951 (E/ECE/140/Rev.1); (c) reports of the committees of the Commission on their activities from 13 June 1951 to 18 March 1952 (E/ECE/142-A-G) and an additional Note to the reports of the committees by the Executive Secretary (E/ECE/142-H); and (d) a Note by the Executive Secretary on other activities of the Commission and its secretariat (E/ECE/143). The latter dealt principally with ECE co-operation with ECAFE and ECLA; special studies; technical assistance; relations with specialized agencies; intergovernmental and non-governmental organizations; and relations with the Allied Control Authorities in Germany.

The Commission noted, *inter alia*, the decisions of the General Assembly and the Economic and Social Council concerning the continuation of the Commission, the amendments to its terms of reference and noted their decisions and the recommendations of the Council regarding its rules of procedure.⁶² It accordingly requested its subsidiary bodies to grant voting rights to European nations not Members of the United Nations admitted to participate in the work of the Commission. The Commission also decided to ask the Executive Secretary to inform the competent authorities of the urgent necessity for taking appropriate steps to ensure the complete implementation of its rule of procedure designating English, French and Russian as working languages.

Following a discussion of the General Assembly's resolution on integrated economic development and commercial agreements (523(VI))⁶³ the Commission unanimously noted the joint trade studies already being carried out by ECE, ECLA and FAO on the one hand, and ECE, ECAFE and FAO on the other hand, as well as the work relating to inter-regional co-operation being undertaken by the committees of the Commission. Further, it decided to seek closer collaboration with ECLA and ECAFE and instructed its committees to carry out the terms of the General As-

sembly's resolution within their respective fields. The Commission invited the Executive Secretary to maintain contact with interested governments and to continue consultations on the secretariat level with Headquarters and with the Executive Secretaries of the other Regional Economic Commissions, with a view to finding ways of giving effect to the recommendations of the General Assembly's resolution, and to report on this subject to the next session of the Commission.

The Commission reviewed the economic situation in Europe, using as a basis the Economic Survey for Europe in 1951, issued by the Commission's secretariat. In the course of the general review of the work of its committees, prefaced by a statement of the Executive Secretary which emphasized especially the importance of fuller participation, particularly of Eastern European Governments, in the committees' activities, the delegates reiterated their belief in the actual and potential importance of the Commission's subsidiary bodies in terms of all-European economic co-operation.

The Commission discussed separately the report by each committee on its past and planned activities and unanimously adopted resolutions with respect to the Industry and Materials Committee and the Committee on the Development of Trade.

In the first resolution the Commission stated that consideration of fundamental problems relating to the supply of raw materials and equipment for investment and consumer goods industries, indispensable for raising the standard of living, constituted an important task of the Industry and Materials Committee. It outlined procedures for the possible convening of a plenary meeting of the Committee and decided to continue to convene *ad hoc* working parties to deal with specific economic, industrial, legal and institutional problems, or with a series of problems relating to a particular branch of industry.

The second resolution followed a full exchange of views on the problem of East-West trade, based, *inter alia*, on a Note by the Executive Secretary reviewing his consultations with governments since the Commission's previous session (E/ECE - 142-H).

⁶¹ For the work of the Commission prior to 1 January 1952, see previous issues of the Yearbook. (For the revised terms of reference of the Commission, see E/2152, Appendix II).

⁶² See Y.U.N., 1951, pp. 66-67.

⁶³ See Y.U.N., 1951, pp. 418-19.

The Commission unanimously adopted a resolution expressing its belief that the expansion, by means of mutually satisfactory agreements, of trade between, on the one hand, countries of Eastern Europe and, on the other, countries of Western Europe, would benefit all European countries. It noted with satisfaction the steps already taken by the Executive Secretary to explore the possibilities of such an expansion and the statements made by the representatives of governments participating in the work of the Commission about their willingness to achieve that expansion.

It invited the Executive Secretary to continue to explore with interested Governments the practical possibilities of trade expansion, on a mutually advantageous basis, including deliveries and counter-deliveries, and if his explorations indicated a reasonable prospect of concrete results, to convene in the autumn of 1952 a consultation of trade experts at the end of which consideration would be given to the desirability of an ad hoc Meeting on Trade.

The Commission further instructed its committees to assist the Executive Secretary in his task by examining export availabilities and import requirements in their respective fields, and reminded governments that the services of the secretariat were available to facilitate the intergovernmental solution of specific trading problems or to explore trade proposals which governments might wish to put forward.

The Commission outlined certain desiderata concerning what the experts attending the Consultation should be prepared to do.

a. WORK OF THE SUBSIDIARY BODIES OF THE COMMISSION

(1) Committee on Agricultural Problems

Due to the fact that Eastern and Western European countries could not agree on a programme of common interest, the Committee on Agricultural Problems did not meet during the year 1952 (E/ECE/142-A and E/ECE/153-A).

Work on standardization of perishable foodstuffs, however, continued. The second and third sessions of the Working Party dealing with this problem were held in Geneva in February and September. At the third session a number of recommendations were approved regarding the general provisions to be applied in Europe for the commercial standardization and quality control of certain foodstuffs. It was agreed that the Executive Secretary would contact Governments after a period of a year in order to have their opinion on the possibility of going further with

these recommendations by incorporating them in a convention.

The secretariat continued the study on prices decided upon at the Committee's second session and issued a paper *Prices of Agricultural Products and Fertilisers in 1951/2* (AGRI/41) for general distribution.

(2) Coal Committee

The Coal Committee held its 23rd to 26th sessions in February, May, August and November 1952 (E/ECE/142-B and E/ECE/153-B). The work of the Committee during the year was concerned with European coal trade, coal production and consumption, efficient utilization of solid fuels, coal classification and coal statistics.

During 1952, the increase in coal production over 1951 in most countries, both in Eastern and Western Europe, fell below expectations. The total increase in Western Europe was 11 million tons, compared with 21 million tons in the previous year. In Poland and Czechoslovakia planned increases were not achieved.

However, the demand for solid fuel in Western Europe increased very little over that of 1951. Consumption of steam coals and coals for power production was lower in some countries, for example the United Kingdom, than it had been in the previous year, and increases were mainly in coking coals and coals for domestic consumption. The market saw very considerable changes during 1952. In the first quarter, the imports from the United States were at a record level of 9 million tons and by the end of the year they had fallen off very considerably. In the spring, stocks of steam coal and industrial coals began to accumulate, first at the pitheads in Belgium and later in France and in the United Kingdom. Industrial activity remained low and it was only towards the end of the year that consumption trends began to move in an upward direction again.

During the year, as the result of the accumulation of stocks, fears of a glut of coal were widely expressed and there was strong criticism of the continued import of coal from the United States. This led the Coal Committee, during the summer, to study urgently the causes of disorganization and fluctuation in the European coal market. It was clear from this study that, on the one hand, the main causes of fluctuation were situated in the chief producing countries but that, on the other hand, the most serious effects of fluctuations were to be seen either in the small importing countries or the small producing countries, in the latter case particularly Belgium. Following this survey, the Coal Committee decided

that, in the future, one of its main tasks should be to attempt to bring greater stability to the European coal market.

The Committee was particularly interested in problems of stocking and de-stocking and in consumption trends studies—both in individual countries and on an international level—in problems of solid fuel qualities, and in prices.

The work of the Coal Committee was continued against a background of considerable change in the organization of the industry. Many participants in the Committee and their governments were seriously preoccupied with the setting up of the European Coal and Steel Community and this affected the Committee's work. However, the importance of the Committee's remaining the centre for a free exchange of views among interested countries on the problems facing the European coal industry as a whole was recognized during the meetings towards the end of the year.

Owing to the easing of the general supply situation, it was possible to reach agreement in the Coal Trade Sub-Committee at each of the quarterly meetings throughout the year on the recommended allocations of European export availabilities. However, owing to the shortage of coking coals, difficulty was experienced in meeting the requirements from European sources, including Western Germany.

The Classification Working Party met in July and December and drew up and adopted a report recommending unanimously an international scientific classification for hard coal by rank. Work was continued on a commercial classification for hard coal and on the classification of lignites and brown coal.

Work was also continued on a number of problems of utilization, in particular, the development of technical advisory services, the proper use of measuring instruments to improve results from existing plant, and development of a satisfactory system for exchanging technical experience.

During the year, the Monthly Bulletin of Coal Statistics was replaced by a Quarterly Bulletin of Coal Statistics for Europe. The Monthly Coal Statistical Summary continued to appear and a monthly News Sheet was circulated giving information on the main items of interest to the coal industry taking place each month.

(3) Committee on Electric Power

The Committee on Electric Power held its ninth session on 23 and 24 June. Following decisions taken at the session, detailed consideration

was given to specific problems by a number of ad hoc groups of experts, various studies were undertaken by the secretariat and certain negotiations were conducted under its auspices (E/ECE/152-C and E/ECE/153-C).

In addition to a series of meetings on rural electrification, there were nine sessions of other expert groups throughout the year.

Thus legal questions concerning the hydro-electric development of rivers which cross common frontiers were the subject of study and proposals by a group of legal experts. Difficulties arising out of the harnessing and operation of the Drava River led to negotiations, through the secretariat, between Austria and Yugoslavia.

With the co-operation and financial support of the Technical Assistance Administration and FAO, a combined seminar and expert study group on rural electrification was held in Geneva over a period of two months. Sixteen European countries, the United States and Costa Rica sent participants and, as a result, a detailed study was prepared embodying recommendations on the electrification of rural communities. Proposals were also drafted for periodic examination of this question by experts.

A definitive study on Transfers of Electric Power across European Frontiers (E/ECE/151) was issued by the secretariat. This study, approved by the Committee, establishes the broad lines on which international trade in electricity might develop and defines the relatively few regions which are potentially suited to support large-scale exports over a number of years. In furtherance of its conclusions, preliminary discussions and negotiations were started between interested countries on the possibilities of systematic export of electric power from Yugoslavia.

Other studies issued by the secretariat included one on Prospects Opened up by Technical Progress in Electric Power Production (E/ECE/EP/127) and a second on Some Technical Aspects of the Transmission of Electric Power (E/ECE/EP/128). Another large-scale project carried to an advanced stage was a pioneer survey to determine how much electricity could be produced by Europe's rivers and lakes. The survey involves comparisons between different regions in respect of technical and economic limits to exploitable resources. A series of general studies of this type was carried out during the year and the first of the periodic surveys of the electric power situation in European countries was made in accordance with a decision taken at the Committee's ninth session.

The objectives and functions of the Electric Power Committee, as exemplified in these various activities, continued through the year to remain threefold in character. Both consumption of power and the natural sources for its production are very unevenly distributed in Europe, although demand everywhere has continued to show a rapid rate of increase. There has thus been a constant need to facilitate the efforts of different countries and to promote the optimum development of natural resources through co-operative measures. The Committee endeavoured to work towards this objective in three ways. It acted as a forum for the exchange of views on fundamental issues, maintaining in the process a close and constructive contact with other international bodies. In furtherance of this end the secretariat has at all times been available as a medium of contact between governments on specific issues for which they might wish to negotiate. Secondly, certain of the general studies of the Committee, including those of a statistical character, served the purpose of assembling documentation on subjects of current importance. Finally, a number of the year's results, including those in the field of rural problems, were obtained in areas of inquiry initiated by the Committee and now distinctively its own.

(4) Industry and Materials Committee

During 1952 most of the shortages in industry and materials experienced after the outbreak of the war in Korea eased, especially in the case of non-ferrous metals and sulphur. With a few exceptions, delivery periods for most types of engineering products had returned to normal in most European countries, while in the United Kingdom shortage of steel, especially of plates, limited the activities of certain industries, such as the ship-building industry. In various branches of industry, for example in the motor-vehicle industry, in continental European countries, capacity was not fully utilized.

The Industry and Materials Committee did not meet in 1952 (E/ECE/142-D and E/ECE/153-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/55).

The ad hoc Working Party on Contract Practices in Engineering met in January, May and December and agreed on the text of general conditions for the supply of plant and machinery for export. These general conditions embody a number of standard clauses for optional use in sales contracts for European engineering equip-

ment and are available to interested parties. The ad hoc Working Party also decided to examine the possibility of preparing a set of permissive clauses for the setting up of plant, in view of the importance of that aspect in trade in engineering products with under-developed areas.

Work continued on a "pilot" machine-tool glossary designed, in the first instance, on a limited experimental basis to test out the possibility of enumerating terms used in the machine tool industry and their precise equivalents in several languages, according to methods devised by a UNESCO expert. The preparation of definitions and drawings for one thousand selected concepts to be embodied in the glossary was proceeding.

The state of supplies of engineering products for export overseas, especially to Latin America and to Asia and the Far East, was kept under review with the co-operation of the regional commissions concerned. Two appendices, one on exports of textile machinery from Europe to Latin America and the other on Latin American markets for tractors, were prepared for inclusion in A Study of Trade between Latin America and Europe.⁶⁴

Housing Sub-Committee

The Housing Sub-Committee, which met in September 1952 (E/ECE/IM/HOU/42) continued to develop work on housing and building in response to the wishes of the governments. Its work was 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 (E/ECE/142-D and E/ECE/153-D).

In most countries the number of dwellings under construction in 1952 was higher than in 1951 and in many countries greater than at any time since the war. This expansion was made possible by measures designed to encourage new building. In Western European countries such measures included lowering interest rates, relaxing licensing and granting credits and subsidies, as well as by the improvement in the supply of building materials. Despite progress in the rate of house construction in all European countries, most of these measures had failed to make any significant contribution in the backlog of unfulfilled needs.

The most important problems facing many countries were: the provision of finance for housing at low interest rates; the need for a long-

⁶⁴ U.N.P., Sales No.: 1952. IL G.2.

term rent policy which would reduce the disparity between rents of pre-war and new housing; and the necessity of stemming and reducing the rising cost of building.

The Building Research Organizing Committee, one of the subsidiary organs of the Housing Sub-Committee, completed its task of formulating recommendations on the type of arrangements required for permanent systematic international collaboration in building research (E/ECE/IM/HOU/39). The close relationship between building research and documentation was especially stressed.

The solution which appeared to the Organizing Committee to offer the greatest degree of integration of efforts in these two fields, and greater economy than appeared possible if the work were to be divided between two separate organizations, was the amalgamation into a single organization of the International Council for Building Documentation (CIDB), established following a recommendation of the Housing Sub-Committee, with the organization envisaged for international collaboration in building research.

On the basis of recommendations of the Organizing Committee, the Housing Sub-Committee instructed its officers, in conjunction with the Executive Secretary, and in consultation with the representatives of interested governments and organizations, to take the necessary steps to organize international co-operation in building research on the general lines proposed. Preparations were made to bring the new arrangements into force by the middle of 1953.

The Sub-Committee also considered certain economic and technical studies prepared at its request by the secretariat and by rapporteurs in various countries, as well as progress reports on studies under way.

In the field of economic studies, the Sub-Committee drew to the attention of governments the completed study on "Methods and Techniques of Financing Housing in Europe" (E/ECE/IM/HOU/38), and in particular, to a number of points discussed in the study concerning the provision of finance for housing at low interest rates and the increasing responsibility of government institutions in the financing of housing. The Sub-Committee decided that current developments with regard to financing and investment in the field of housing should be treated in an annual report on housing policies pursued and results achieved, to be prepared as a basis for an annual examination by the Sub-Committee.

The Sub-Committee also examined a preliminary report on "European Rent Policies". The report analysed the problem of reducing the disparity between rents of old and new houses and providing adequate repairs and maintenance of the existing dwelling stock.

The Sub-Committee continued consideration of what further steps it could take to reduce the cost of building and, in particular, to increase the productivity of the industry. In this connexion it had before it a general study, entitled "Measures to Reduce the Cost of Building", containing recommendations for measures capable of yielding immediate or fairly short-term results. The Sub-Committee suggested that the final report should be examined, jointly, in each country by representatives of the government and the industry in the light of the particular problems and experiences in the country, and that the results of such studies and action taken should be regularly communicated to the ECE secretariat for transmission to other governments.

A series of specialized studies in the technical field were also in preparation, largely by rapporteurs. They concerned: productivity measurement; model building codes and regulations; contract practices; strength, stability and safety factors; more rational use of building materials; lifetime of a house; the role of the architect and the engineer; trends in mechanization; and the scale and continuity of demand.

A working Party on Housing and Building Statistics made detailed preparations for launching in 1953 a Quarterly Bulletin of Housing and Building Statistics for Europe.

(5) Inland Transport Committee

The Inland Transport Committee held two sessions during 1952, its first special session from 7 to 11 January and its ninth session from 15 to 19 July. The Committee's main attention continued to be directed towards problems relating to the formulation of a general transport policy designed to eliminate wastage and reduce transport cost. Questions such as co-ordination of transport and of development programmes, drawing up of international tariffs for Europe considered as a single economic unit, calculation of costs, and the establishment of internationally comparable transport statistics, were given priority (E/ECE/142-E and E/ECE/153-E).

Work continued on the economic studies necessary before any policy of international transport co-ordination can be examined. To enable the Committee to consider the co-ordination of capital expenditure programmes, the secretariat was asked

to compile a list of such programmes in the various countries, and covering rail, road and inland waterway transport.

The Committee recommended that governments should set up special funds for the construction of roads as had already been done or was about to be done by certain countries, including France and Belgium. In collaboration with the International Road Federation (IRF), a first draft statute for a European Road Investment Fund was being prepared by the secretariat.

The Committee drew the attention of governments to the importance of using the same system of electrification in zones of heavy traffic for international services between neighbouring countries. It requested the International Railway Union (UIC) to keep it informed of bilateral conversations on this question and to submit to it a report analysing the economic advantages of the various possible solutions in the field of electrification. The UIC was also requested to lay down the basis for a future programme which would indicate the main lines, most advantageous from the economic standpoint, to be equipped so as to ensure the fullest possible efficiency of future electrification schemes.

The Committee attached particular importance to work on costs and tariffs, since there is a tendency in many countries to relate tariffs more closely to costs. The determination of costs and studies which would make it possible to compare costs as between the various means of transport are also essential for purposes of co-ordination.

The continuing work on rail tariffs has two main purposes:

(1) to bring harmony into the structure of these tariffs (the basis of which varies from country to country there being, for example, differences in the classification of goods, in the minimum tonnage needed before cheaper rates are applied, and in the way in which charges per kilometre fall as distance increases) and thereby considerably facilitate trade and simplify the work of consignors and consignees; and (2) to harmonize the presentation of tariffs by drawing up model internal and international tariffs. The possibility of establishing tariffs for road and waterway transport was also under study.

Although the Committee and its subsidiary bodies devoted special attention during the year to problems relating to the laying down of a general transport policy, the study of various operational or other short-term problems was also continued. For example, questions arising out of the application of the Customs conventions and the agreements removing restrictions on the freedom of road transport received attention. Efforts were made to co-ordinate regular international passenger services by road, operated by railways

and by private companies, and to improve the standard of such services. Measures for the prevention of road traffic accidents and for increasing the degree of safety at level crossings were also being considered.

Work on the transport of perishable food-stuffs and dangerous goods continued and studies concerning containers and pallets got under way.

Two conventions, one to facilitate the crossing of frontiers for goods carried by rail and another to facilitate the crossing of frontiers for passengers and baggage, were signed by eight countries in January 1952. By the end of the year considerable improvements in the timetables of certain rail journeys had followed the signing of these conventions and the recommendations of the Committee's subsidiary body dealing with the simplification of frontier formalities.

Several governments had agreed to implement a resolution for the elimination of currency restrictions on the transfer of rail transport charges. As a result of another resolution, governments had granted facilities to privately owned railway wagons passing frontiers by rail.

With regard to road transport, a standard set of rules which governments propose to enforce through a general agreement, and which will be applicable to all international carriers, was prepared. The application of the TIR carnet scheme, which enables goods vehicles, after inspection and sealing in the country of departure, to proceed to a chosen point in the country of destination without detailed inspection and unloading at intervening frontier Customs stations, was brought up to date in the light of technical progress. This system also enables lorries to take their loads to a clearance point in the country of destination, thus avoiding disturbance of the load at the frontier.

A scheme for the introduction of an international insurance certificate covering third-party risks was prepared.⁶⁵

On a recommendation adopted by the Committee, an international non-governmental organization was set up to represent the interests of inland waterway carriers.

(6) Manpower Committee

No meetings of the Committee were held during 1952, its programme having been taken over, on the decisions of the governments, by ILO in April 1948.

⁶⁵ This entered into force in several countries during January 1953.

(7) Steel Committee

Meetings were held by the Committee and its Working Party on Scrap and Panel of Statistical Experts in February 1952 (E/ECE/142-F and E/ECE/153-F). During 1952 the problems before the Steel Committee were of a more varied nature than during the previous year. Supplies of raw materials, particularly ore coke and pig iron, had much improved. Scrap, however, still remained short. The Committee noted that, in response to earlier recommendations, the majority of European countries had substantially increased their scrap prices in 1951 and 1952 and many had organized scrap campaigns. Among other things, it approved the proposal of its Working Party on Scrap for the collection of statistics, through scrap merchants, of scrap deliveries according to types of consumers and origin of the scrap.

Despite the shortage of scrap, European steel production (excluding the USSR) rose still further to 73.9 million tons of crude steel as against 67.6 million tons in 1951.

The demand for steel products showed a tendency to slacken during the later part of the year, particularly in certain overseas areas so that some main European exporters, for want of orders, had difficulty in maintaining full production.

The secretariat of the ECE prepared and presented to the Steel Committee two major studies, one on trends in production and consumption of flat steel products and the other on Europe's position and prospects as an exporter of steel to other parts of the world.

The first study, entitled *The European Steel Industry and the Wide-Strip Mill*,⁶⁶ is concerned with the growth of demand for flat steel products and the potential results of the installation of continuous wide-strip mills in Western European countries. It analyses trends in production of flat products in the United States during the past 30 years, comparing them with the more recent developments in Western Europe. It reviews present and planned capacity for production of flat products in Western Europe, and the levels of output that might, on various assumptions, be attained by 1956, discussing, among other factors, the question of obsolescence. A chapter is devoted to production in the USSR and other countries of Eastern Europe, but sufficient details were not available to enable the analysis to be carried out as fully as that for Western Europe. The study examines the possible growth of the industries which are the principal consumers of flat products: the motor-vehicle, shipbuilding, con-

tainers, durable consumer goods and capital goods industries; it also makes a brief survey of Western Europe's export markets for flat products. It ends with a tentative assessment of future demand and draws a number of conclusions on the prospects of balancing production and consumption and on the measures which appear necessary if Europe is to derive the full potential benefit from the continuous wide-strip mill.

The second study, *European Steel Exports and Steel Demand in non-European Countries* (E/ECE/163) analyses the importance of trade in steel products both for European exporting countries and importing countries in other parts of the world. In particular, it discusses the main factors influencing steel demand in under-developed countries. Trends in consumption, and their probable development up to 1960, are also considered. The study reviews such factors as demand for particular steel products, the price policies of European steel exporters, and the relationship between the economic policies of industrialized countries and demand for steel in under-developed countries. This analysis is followed by statistics of production, consumption, imports and exports for more than 40 countries outside Europe and a brief factual account of steelmaking raw materials and sources of energy, the steel industries and any plans for development of these in each country considered.

During the year, collaboration between the secretariat of ECE and of the Economic Commission for Asia and the Far East (ECAFE) continued. Collaboration with the Economic Commission for Latin America (ECLA) also developed, particularly in connexion with the first meeting of the Expert Working Group on the Iron and Steel Industry in Latin America, sponsored jointly by ECLA and the Technical Assistance Administration of the United Nations, which was convened in October 1952 at Bogota.

The *Quarterly Bulletin of Steel Statistics* for Europe, the first issue of which appeared in December 1950, continued to be published. The Foreign Trade section was expanded in the course of the year so as to include data on finished steel products conforming to the Standard International Trade Classification, and new tables were added covering production and exports of raw materials in selected overseas countries. Data on the production and consumption of steelmaking raw materials and foreign trade in steel of the USSR were also added.

⁶⁶ U.N.P., Sales No.: 1953. I.I.E.6.

(8) Timber Committee

The Committee held two sessions in 1952, one in May and the other in October. At the May session, the Committee noted that since the end of 1951 the European market had undergone a complete change due to a sharp decline in the intensive demand for all types of timber. Estimates of prospective demand from Europe, the Middle East and other overseas countries for sawn softwood were established at 2.8 to 3 million standards for 1952, representing a reduction of 500,000 to 650,000 standards below actual imports in 1951. By the beginning of July, the downward price trend had been checked and buying had been resumed. By the end of September, a considerable amount of business had been done and the Committee's provisional estimates for the year 1952 essentially confirmed the forecasts made at its meeting in May (E/ECE/142-G and E/ECE/153-G).

The Committee considered that no difficulties should arise in obtaining supplies of pitprops for 1952 and this was borne out by events. Similarly, the supply situation for pulpwood had greatly improved.

A review of expected import requirements and export availabilities for sawn softwood, pitprops and pulpwood in 1953 indicated that the demand could be met.

At the May session the following progress reports were presented by the secretariat and noted by the Committee:

(a) timber price statistics and indices; (b) research on new methods for utilization of wood waste; (c) logging techniques; (d) other projects (definition of principles of the grading of commercial timber, study of problems in connexion with the use of wood in packaging, and the training of woodworking technicians).

At its October session, the Committee met with the European Forestry Commission of FAO to discuss the draft of a study of European Timber Trends and Prospects⁶⁷ prepared by the secretariats of FAO and ECE. The joint session recommended that, prior to publication, the study be revised in the light of observations made during the meeting and taking into account those observations which might be subsequently submitted by governments and experts. It further recommended the establishment of a Working Party composed of experts in the fields of forest policy, timber production, woodworking industry and the timber trade to consider proposals for future action so that the secretariat could make recommendations for submission to Member Governments well in advance of the next joint session.

(9) Committee on the Development of Trade

No meeting of the Committee on the Development of Trade was held in 1952, but work in this field was continued by the secretariat (E/ECE/142-H and E/ECE/153-H/Rev.1).

The secretariat received information from the governments concerned regarding the progress of relevant bilateral negotiation following the Consultation on Preparations for an Ad Hoc Meeting on Trade⁶⁸ and the views of governments on the question of a further ad hoc meeting. This information was communicated to governments in confidential communications and a consolidated statement summarizing the information to date was transmitted to governments on 20 February 1952.

Pursuant to the resolution concerning the Industry and Materials Committee, adopted at the seventh session of the Commission,⁶⁹ the Executive Secretary explored with governments the possibilities of calling a Consultation of Trade Experts and proposed that the Consultation be convened on 9 September 1952. Replies from fourteen governments indicated that they were, on the whole, favourable to the Consultation, including the date indicated, and a further three Governments, Ireland, the Netherlands and Switzerland, had no objection to the Consultation being held. No answer, however, was received from the Governments of Albania, Bulgaria, Czechoslovakia, Hungary, Poland, Portugal, Romania and the USSR, in time for the convening of the Consultation contemplated for 9 September, and the Executive Secretary therefore considered that the Consultation could not take place.

In an Interim Report to governments on 18 August (E/ECE/153-H, Appendix B), he stated that, in view of the importance of the question of East-West trade, its current unsatisfactory state, and the unanimous decisions of the Commission expressing the willingness of governments to tackle this problem on a practical level utilizing the machinery of the Commission, he intended to continue his explorations with interested governments in order to examine the possibility of arranging a Consultation to take place later in the year, provided it could effectively help or supplement bilateral negotiations.

On 10 September 1952 the Executive Secretary conferred with the Minister of the USSR in Switzerland and explained why he wished,

⁶⁷ U.N.P., Sales No.: 1953.IIE.3.

⁶⁸ See Y.U.N., 1951, pp. 456-57.

⁶⁹ See p. 417.

prior to approaching all ECE Governments anew, to consult the Government of the USSR as the major trading country in Eastern Europe concerning the desirability of holding a Consultation of trade experts in the latter part of December 1952 or early in January 1953. No reply was received from the Government of the USSR in time to convene a Consultation during these periods. But the Consultations were subsequently scheduled for the spring of 1953.

The Research and Planning Division of the secretariat prepared a detailed note on recent development in intra-European trade, published in Volume 4, No. 3, of the Economic Bulletin for Europe under the title: "Developments in Trade between Eastern and Western Europe from 1950 to mid-1952".

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 Polish Chambers of Commerce. The talks took place from 1 September to 22 October 1952 in Geneva; and on 22 October a one-year trade agreement was signed for the exchange of goods totalling about \$4 million in value each way.

b. ECONOMIC SURVEY OF EUROPE IN 1951

The Economic Survey of Europe in 1951 (E/ECE/140/Rev.1),⁷⁰ published in February 1952, was the fifth annual survey prepared by the secretariat of the Commission.

The Survey, based on official statistics and statistical estimates made by the secretariat, showed that in the sixth post-war year production in Europe (excluding the USSR) continued to expand, but, as in previous years, agriculture lagged behind industry. Agricultural production in Europe as a whole in 1951 had exceeded the level reached in the late 'thirties by only a few per cent, whereas industrial production was about 40 per cent higher. The increase in total industrial production in Europe as a whole during the war amounted to 12 per cent. In the USSR the index of gross industrial output rose by 16 per cent and was about twice as high as in 1940. By the third quarter of the year, production in Western Europe began to be noticeably affected by the recession in consumer demand. The European grain harvest in 1951 was bigger than that of 1950, but the potato crop was inferior.

The Survey pointed out that very considerably increased demands were placed on the engineering industries of Western Europe during the year.

The engineering industry of Western Europe, taken as a whole, was able to meet these increased demands for private investment and export without undue strain because: (1) that industry, especially in Western Germany, had been operating well below its 1950 capacity; and (2) in 1951 investment in plant and equipment was sharply reduced in national industries and non-nationalized industries mainly operated as public enterprises.

In the field of trade, the Survey indicated, two major changes were primarily responsible, along with speculative capital flows, for the abrupt reversal of the dollar fortunes of the United Kingdom in 1951. One of these was the great rise in imports in 1951, in turn attributable chiefly to the necessity of building up again its stocks of raw materials and foodstuffs after the reductions which had been made in 1950. The violent rise and fall in international raw material prices since the start of the Korean war was the second major cause of the new payments crisis. Mainly because of these two factors, the trade of the sterling area as a whole with dollar countries and with continental Europe took a sudden adverse turn equivalent to over \$2 billion per year in the middle of 1951.

The Survey declared that no contribution to the solution of Western Europe's growing balance-of-payments problems, or to certain difficulties experienced in developing production in Eastern Europe, had come from revived trade between the two areas. On the contrary, trade between Eastern and Western Europe in 1951 declined further from the already abnormally low level it had reached by 1950.

From data available on trade among Eastern European countries during the period under review the Survey suggested that three main tendencies appeared to emerge:

(1) a very considerable increase in Eastern Germany's trade with the other countries of the area; (2) a further large increase in trade between the Soviet Union and other Eastern European countries; and (3) a rather small increase, compared with previous years, in the volume of trade among the countries of the region other than the Soviet Union and Eastern Germany.

In addition to the review of general economic developments in Europe, the Survey contained two special chapters, one dealing with the European coal problem and the other with economic developments in the Soviet Union. The chapter about coal described production problems and investment plans in Belgium, France, Western

⁷⁰ Published as Vol. 3, No. 3 of the Economic Bulletin for Europe.

Germany, Poland and the United Kingdom, and coal consumption trends and policies. It described the coal shortage experienced during the year as both the most serious and the most unnecessary of Europe's post-war commodity shortages, and urged vigorous measures both to expand European production of coal and to economize in its use. The chapter about the Soviet Union discussed Soviet statistical sources, analysed the trend of industrial and agricultural production and the trend and allocation of the national income, and also dealt with the question of monetary stability.

c. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council considered the Fourth Annual Report of ECE (E/2187 and Add.1) at its 594th to 596th plenary meetings from 6 to 9 June. It also had before it the Economic Survey of Europe in 1951 and a note by the Secretary-General (E/2221) concerning the Commission's work programme and priorities for 1952-53.

In introducing the Annual Report, the Executive Secretary of the Commission stated that there were two basic problems, both of which arose from the division of Europe into two large political groups. The first problem was the lack of participation of certain European countries in the committees of ECE, and the second was that there had been little progress in utilizing the organization for promoting East-West trade.

Representatives in the Council expressed general satisfaction with the work of the Commission and commended its efforts towards promoting East-West trade. It was also generally agreed that growing co-operation between ECE, ECAFE and ECLA was a significant and beneficial development.

Several representatives, among them those of Belgium, France, Pakistan, the Philippines, Sweden, the United Kingdom and the United States, expressed appreciation of the Survey and various studies undertaken by the Commission. The representatives of Belgium, France and Sweden emphasized that, while research and studies were very useful, the major objective of the Commission was to devise practical activities leading to concrete achievements. In this connexion, the representative of France cited the importance of the work of the Commission's subsidiary technical bodies, particularly the Coal and Inland Transport Committees.

The representatives of Poland and the USSR declared that the Survey had not given an accurate

and objective picture of the European economy. The USSR representative felt that the Commission had been inadequate in promoting the export of capital equipment to under-developed countries.

The representative of the United States noted with regret that a number of Eastern European countries had not participated in several of the subsidiary bodies of the Commission. He felt that their continued absence was hard to reconcile with their professed interest in the problems of the region. The representative of the USSR stated that the USSR, itself, was in the best position to determine the subsidiary organs of ECE in which it could most usefully participate. He and the representatives of Czechoslovakia and Poland were of the opinion that the economic situation in Western Europe had deteriorated due to the influence exerted by the United States and its rearmament programme.

The Council at its 596th plenary meeting on 9 June 1952 rejected by 9 votes to 3, with 6 abstentions, a Czechoslovak draft resolution (E/L.354) which proposed that the Council grant voting rights in the Economic Commission for Europe to States non-members of the United Nations which participated in a consultative capacity in the work of the Commission.

The Council unanimously adopted as resolution 418 (XIV) the draft resolution proposed by the Commission (E/2187), taking note of the Annual Report of ECE and of the views expressed by the Commission during its seventh session.

2. Economic Commission for Asia and the Far East (ECAFE)

The Economic Commission for Asia and the Far East (ECAFE) held its eighth session⁷¹ in Rangoon, Burma, from 29 January to 8 February 1952 and reported (E/2171) to the Economic and Social Council at its fourteenth session, held from 20 May to 1 August 1952. An account of action taken by the Commission at its eighth session and of consideration by the Council of the Commission's report, covering the period 8 March 1951 to 8 February 1952, together with a description of other activities of the Commission during 1952, is given below.

a. PROBLEMS OF INDUSTRY AND TRADE

At its eighth session, the Commission approved (E/CN.11/343) the report of its Committee on

⁷¹ For a list of meetings of the Commission and its main subsidiary bodies, see p. 53.

Industry and Trade (E/CN.11/314), subject to minor amendments, thus approving a number of work projects, studies, conferences and surveys, as well as reports of other subsidiary bodies. Among the projects approved by the Commission were:

The convening of a regional conference on mineral resources development; a resolution requesting supplying countries to make increased efforts to assist countries of the region in the supply of pig iron, semi-finished and finished steel products; a group visit of experts to study methods and techniques of the iron and steel industry in Japan, with the assistance of the United Nations Technical Assistance Administration (TAA); work on small-scale industries and handicraft marketing, including a working party to be held in July 1952; dissemination of information on industrial organizations in the public sector and a seminar on the structure and management of such organizations; continued work on the supply position and availability of DDT and antibiotics; increased attention to building and housing materials, including an inter-secretariat working party with the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organization (WHO); continued work on trade promotion; the convening of a second ECAFE Conference on Trade Promotion in the Philippines early in 1953; projects on trade analysis including marketing and distribution surveys, working of financial and trade agreements; the joint ECAFE/ECE/FAO study of trade between the ECAFE region and Europe; intensification of work on problems relating to financing economic development and mobilization of domestic capital, including a working party to be held in September 1952.

(1) Industrial Development

Electric power: The Sub-Committee on Electric Power held two sessions during 1952 (one in January and one in September to October) at which reports were considered concerning power projects and organizational problems; the relationship between industrial and power development; rural electrification; techniques of estimating future power demands; requirements of electric power plant and equipment; lignite resources of the region, their exploration and utilization (E/CN.11/EP/3, 5, and 13 to 16).

Iron and steel: The Sub-Committee on Iron and Steel did not meet in 1952. A group of iron and steel experts, however, visited Japan during September and October. The group, which included participants from most countries of the region, was organized in co-operation with TAA. Advisory services on iron and steel industries were provided for Ceylon and Burma. Work was continued during 1952 on the amplification of the Directory of Laboratory Facilities; the formulation of uniform statistical reporting methods; and on scrap classification. Information was collected on import requirements of pig iron, semi-finished and finished steel for 1952 and 1953,

and forwarded to ECE, whose Steel Committee drew them to the attention of the supplying countries.

Mineral resources: During 1952, the secretariat's report on coal and iron ore resources of Asia and the Far East⁷² was published. Preparations were made for a mineral resources conference to be held in Tokyo in April 1953, with the co-operation of TAA. A secretariat study on activities in the field of mineral resources development (E/CN.11/I&T/75, Annexes A to E) was issued; its annexes included a report on the kaolin resources of the region and a paper on mining development in Asia and the Far East during 1951.

Cottage and small-scale industries: The second meeting of the Working Party on Small-Scale Industries and Handicraft Marketing was held in July 1952. The draft outline for a study of the economic aspects of cottage industries (E/CN.11/I&T/CIWP.2/6) was approved and a report on research and training facilities (E/CN.11/I&T/CIWP.2/2) was considered. The Working Party also considered problems of marketing the products of cottage and small-scale industries and handicrafts.

Production of DDT and medical supplies: In view of the improved supply situation, with emphasis shifting from procurement to distribution and utilization of available supplies, it was not felt necessary to convene during 1952 the joint ECAFE/UNICEF/WHO/FAO inter-secretariat Working Party on DDT and Medical Supplies.

Fields of economic development handicapped by lack of trained personnel: The joint ECAFE/ILO/UNESCO inter-secretariat Working Party, at its second session in October 1952, reviewed the progress made and the problems involved in meeting specific shortages of trained personnel, and recommended that seminars on management techniques be organized on a national basis. It emphasized the importance of large-scale training of workers, artisans and village craftsmen and of undertaking manpower surveys in the countries of the region.

Power alcohol: The seminar on production and use of power alcohol was held in October and November 1952, under the joint auspices of ECAFE and TAA, in co-operation with FAO. The seminar emphasized the imperative need for a supplementary source of fuel in the form of power alcohol pressed from raw materials avail-

⁷² U.N.P., Sales No.: 1952. II.F.1.

able in the region. Recommendations included the organizing of a survey of raw materials, the increasing of the cultivation of heavy alcohol-yielding crops, investigations on the hydrolysis of cellulosic materials, storage of molasses, analytical control of production, and the need for the supply of gasoline of standard quality.

Housing and building materials: The first meeting of the inter-secretariat Working Party on Housing and Building Materials was held in November 1952, with a secretariat staff attending from FAO, ILO, UNESCO, WHO, the United Nations Department of Social Affairs and ECAFE. A preliminary report by ECAFE on housing and building materials in the ECAFE region (E/CN.11/I&T/HBWP/L.4) was considered and a work programme for ECAFE, FAO, ILO, UNESCO and WHO recommended. ECAFE was considered a suitable agency for regional co-ordination at the secretariat level of work carried out by the various agencies in the field. The Working Party welcomed: (1) action taken by the Government of India in organizing an international exhibition on low-cost housing; and (2) its assistance in connexion with a regional seminar on housing and building materials, to be held in New Delhi early in 1954, with the co-operation of TAA.

(2) Trade and Finance

In considering the report of the Committee on Industry and Trade (E/CN.11/314), the Commission also considered a report on capital goods and materials (E/CN.11/315), and adopted a resolution (E/CN.11/343) approving the report, the work undertaken by the secretariat and the recommendations contained in the report. The Commission made additional recommendations concerning the financing of electric power development, supplies of machinery and equipment, supplies of sulphur, capital goods and material requirements and the expansion of exports.

The Commission recommended, among other things, that special consideration be given by the General Assembly, the Economic and Social Council and the International Bank to the urgent need of the under-developed countries for financial assistance for electric power projects. It urged countries producing electric power plant and machinery for the iron and steel industry to give high priority to the requirements of under-developed countries. It recommended that supplying countries also give priority to import requirements of the countries of the ECAFE region for projects already under way. The Commission further recommended exchange of information con-

cerning the need for and supply of capital and essential goods and that the regional conference on trade promotion in 1953 make proposals for a programme of work in regard to measures for increasing exports and the proceeds therefrom from countries of the region.

Mobilization of domestic capital: ECAFE's Working Party on the Mobilization of Domestic Capital held its second session in Bangkok in September 1952. It surveyed the experience of countries in mobilizing domestic capital, discussed development and finance corporations, examined the relationship between foreign capital and the mobilization of domestic capital, and made recommendations in all these fields. A progress report on the analysis of financial aspects of development plans (E/CN.11/I&T/82) was issued, outlining a scheme for the classification of development expenditures to facilitate analysis of development plans and methods for the estimation of foreign exchange requirements of development programmes.

Trade between ECAFE countries and Europe: Work on the study of trade between ECAFE countries and Europe, jointly undertaken by the secretariats of ECAFE, ECE and FAO, continued in 1952. A preliminary report (E/CN.11/TP/8) was nearing completion at the end of the year.

Supply of capital goods and materials: A report indicating the progress of work regarding the supply of capital goods and materials (E/CN.11/I&T/79) was issued in 1952. It showed the secretariat's activities in collecting information about urgent requirements of ECAFE countries in certain capital goods and materials. This information was transmitted to ECE and through ECE brought to the attention of the supplying countries.

Advisory services concerning better postal savings facilities and related matters to assist in the mobilization of domestic capital were rendered in 1952 to Pakistan.

Trade promotion: Preparations were made during 1952 for the second ECAFE conference on trade promotion to be held in Manila in February and March 1953. Papers prepared for the conference covered implementation of recommendations of the first ECAFE conference on trade promotion (E/CN.11/TP/6); technical and marketing research as an aid to trade (E/CN.11/TP/7); preliminary report on trade between the ECAFE region and Europe (E/CN.11/TP/8) (in co-operation with the secretariats of ECE and FAO); regional organization of trade associations (E/CN.11/TP/4); suggested form and content of market reports by trade representatives

abroad (E/CN.11/TP/3); training in trade promotion techniques (E/CN.11/TP/5; and selected import needs and export availabilities (E/CN.11/TP/10).

The ECAFE secretariat, in co-operation with TAA, during 1952 continued to assist governments in the improvement of their trade-promotion machinery and in the provision of facilities for the training of trade-promotion personnel. The form and content of Trade Promotion News was revised and issues published every two months. A "Glossary of Commercial Terms", first prepared in 1951, was circulated to governments and was to be published for wider circulation.

An exhibition of handloom textiles from the countries of the region was organized in connexion with the Working Party on Small-Scale Industries and Handicrafts Marketing, with exhibits from ten countries on display. In the deliberations of the working party, considerable attention was paid to marketing problems and TAA experts in marketing and design examined and analyzed the exhibited handicrafts for their export suitability. A Japanese spinning machine was also demonstrated.

Travel: In the field of travel promotion, ECAFE transferred its activities as from 1 August 1952 to the newly established Asian and Far Eastern Travel Commission of the International Union of Official Travel Organizations, including the publication of Asian Travelways and the compilation of Travel Formalities.

b. INLAND TRANSPORT

At its eighth session, the Commission considered the report of the first session of the Inland Transport Committee (E/CN.11/312), held at Bangkok from 17 to 22 December 1951, and adopted a resolution (E/CN.11/340) approving the report and the general lines of the work set out in it. The Committee was due to hold its second session in January 1953.

The Highway Sub-Committee of the Inland Transport Committee met during August 1952; meetings of the Railway Sub-Committee and Inland Waterway Sub-Committee were scheduled for January 1953. Quarterly publication of the Transport Bulletin and the Railway Statistical Bulletin continued.

Co-ordination of transport: The secretariat continued studies on this subject during 1952. A preliminary document (E/CN.11/TRANS/88) analysing and summarizing basic information supplied by governments was prepared.

Highways: During 1952, the Highway Sub-Committee considered the standard highways maintenance register (E/CN.11/TRANS/Sub.2/3), as finalized by the secretariat; standard forms for recording data on cement concrete road pavements (E/CN.11/TRANS/Sub.2/4); highway bridge register (E/CN.11/TRANS/Sub.2/5); highway project schemes (E/CN.11/TRANS/Sub.2/6); vehicle maintenance and repair, and training of mechanics (E/CN.11/TRANS/Sub.2/7); and reclamation of worn automotive equipment (E/CN.11/TRANS/Sub.2/8).

Inland waterways: A draft was prepared during 1952 for the final report of the Expert Working Group on Inland Water Transport from Asia and the Far East; the chapter of this report containing recommendations for various countries of the region was revised (E/CN.11/TRANS/Sub.3/3 and Add.1, 2 and 3). Preparations continued, in co-operation with TAA, for the establishment of two demonstration/pilot projects in India and Pakistan on improved design and operation of craft.

The following studies were undertaken during 1952: uniform craft measurement (E/CN.11/TRANS/Sub.3/5); current inland waterway development (E/CN.11/TRANS/Sub.3/7) and inclusion of coastal shipping in the terms of reference of the Inland Transport Committee (E/CN.11/TRANS/Sub.3/6).

Railways: During 1952, preparations continued, in co-operation with TAA, for the establishment of a regional railway training centre to be opened in 1953 for operating and signalling officers at Lahore, Pakistan. A group of sixteen senior Asian railway officials made a study trip to Europe, North America and Japan to observe modern systems of train working and signalling and to make detailed recommendations for the curriculum and demonstration equipment for the new regional training centre.

The following studies were undertaken during 1952: economic use of firewood in steam locomotives (E/CN.11/TRANS/Sub.1/5, 19 and 19/Add.1); use of low grade coal as locomotive fuel (E/CN.11/TRANS/Sub.1/1); techniques of burning fuel oil (E/CN.11/TRANS/Sub.1/2); best types of Diesel locomotives and railcars for the region (E/CN.11/TRANS/Sub.1/6 and Add.1 and 16); productivity of labour in railway workshops (E/CN.11/TRANS/Sub.1/9L.1 and L.2); improved methods of track construction and maintenance (ECAFE/TRANS/Sub.1/1); and standardization of railway rolling stock (E/CN.11/TRANS/Sub.1/3 and E/CN.11/TRANS/Sub.1/20).

c. FLOOD CONTROL

At its eighth session, the Commission considered the annual report of its Bureau of Flood Control (E/CN.11/311) and commended the work of the Bureau. In particular, it welcomed the shift of emphasis of the Bureau's work from flood control to the wider aspects of water resources development, and expressed the view that the study on methods and problems of flood control prepared by the Bureau was a valuable work of reference for flood control engineers in the region. A resolution was adopted (E/CN.11/338), approving the programme of work of the Bureau and requesting TAA to give favourable consideration to the organization of a training centre on water resources development for engineers of the region.

Multiple-purpose river basin development: In response to the Commission's resolution, the Bureau of Flood Control in 1952 formulated a work programme aiming at the promotion of multiple-purpose river basin development. It comprised the following main projects:

(1) A country-by-country survey of water resources, present status and future plans of development, and a study and analysis of problems and difficulties encountered in water resources development. (Surveys for Burma, Ceylon, China (Taiwan), India, Japan and the Philippines have since been completed, and surveys for Cambodia, Indonesia, Laos, Pakistan, Thailand and Vietnam are under way.)

(2) A manual giving the general principles and detailed methods of planning multiple-purpose river basin development for the use of engineers of the region.

(3) Organization of a training centre on water resources development, in co-operation with TAA, to open in 1954.

(4) Regional technical conference on water resources development, to be held in 1954.

Flood control methods: Work continued during 1952 on flood control problems of common interest to the region, such as silting, bank protection and river training. A study on the silt problem was being conducted jointly with the East Punjab Irrigation Research Institute of India and the Hydraulic Laboratory of the Royal Irrigation Department of Thailand. A preliminary report on bank protection and river training (FLOOD/9) was prepared.

Technical advice and assistance to governments: Services rendered to governments in 1952 included: (1) field investigations and advice to the State Government of Orissa, India, on flood control and extension of irrigation in the delta area of the Mahanadi River; and (2) a report to the State Government of Pepsu, India, on flood control of the Patiala and East Punjab States Union.

Flood control of international rivers: A technical study of the lower Mekong river basin was undertaken during 1952 in co-operation with the governments of Cambodia, Laos, Thailand and Vietnam, and a preliminary report on technical problems relating to flood control and water resources development of the Mekong (FLOOD/-8) was issued. Further detailed field investigations were conducted to ascertain the technical feasibility of developing irrigation, water power and navigation on an 800 km. stretch where the river forms a common border between Laos and Thailand.

Hydraulic research stations: Information on the personnel, essential equipment and problems under investigation in the various hydraulic laboratories of the region was published in the Bureau's Flood Control Journal.

Dissemination of technical reports: In co-operation with TAA, a considerable volume of technical handbooks, standard works, research publications and technical reports were made available during 1952 to technical organizations of the region.

d. RESEARCH AND STATISTICS

At its eighth session, the Commission had before it a note by the Executive Secretary on the annual Economic Survey of Asia and the Far East and the quarterly Economic Bulletin (E/CN.11/316). The Commission expressed general commendation of both these publications as valuable works of reference; it was suggested, however, that a more analytical approach would be useful, especially in the Survey. It was generally agreed that it would be valuable for future sessions of the Commission to open with a discussion on the economic situation of the region, such discussion to be based on the most recent Survey and the half-yearly review published in the quarterly Bulletin. A proposal to shorten the Survey, by concentrating on the developments of the year under review and by the inclusion of articles of a more general character in the Bulletin instead of in the Survey, was welcomed. Various suggestions were made regarding the timing, scope and structure of future Surveys, and the Executive Secretary, while pointing out certain difficulties, assured the Commission that he would give careful consideration to those suggestions.

Economic Survey of Asia and the Far East: Work was completed during 1952 on two editions of the Economic Survey of Asia and the Far East: that for 1951 was published in the latter half of 1952 and the publication date of the 1952 edition was advanced so that printed copies

would be available early in 1953, when the Commission and the Economic and Social Council were expected to discuss the regional and world economic situations respectively.

The 1951 Survey consisted of three parts (production; international trade and payments; money, prices and finance). Chapters of a general background character were omitted, making the edition appreciably shorter.

The 1952 Survey described and analysed economic developments, mainly during the first half of that year, though later developments were noted where data was available. Subsequent Surveys would cover the period from mid-year to mid-year.

The 1952 Survey stated that strongly conflicting tendencies had marked economic developments in the Asian region up to the autumn of 1952. Production had continued to increase although the per capita volume in agriculture had remained below the pre-war level. Raw material production had expanded and industrial production benefited from the supply of new equipment, the Survey stated. The advance was uneven, however, and there were signs of a slowing down of the pace of economic activities in India and Japan. Foreign trade had been adversely affected by a decline in demand, and the drop in export prices had made deep inroads into export earnings. The Survey showed a sharp worsening in the terms of trade of all but the rice-producing countries; adding that progress in production had failed to bring about a corresponding increase in real income. The decline in export incomes had affected purchasing power, which had not kept pace with the increase in home supplies, the Survey said. Inflationary pressures had been gradually neutralized and had finally given way to a tendency for prices to weaken.

As a result of the collapse of the export boom many governments had begun to suffer loss in revenue and, to make up for this decline, were trying to tap new sources of income and achieve savings in expenditure, the Survey said.

At the same time, foreign exchange reserves had decreased and gains in reserves made during the boom had, in some cases, been practically wiped out. The Survey observed that these changes were very rapid and had once again proved the great economic vulnerability of countries of the region which depended heavily on the exports of a small range of commodities.

The trade recession had turned the financing of imports into an acute problem, the Survey stated. The decline in foreign exchange reflected

to no small extent the subsiding of abnormal demands caused by the war in Korea. It was pointed out, however, that at the same time the world supply of raw materials had increased and that this factor might assume increasing significance in the future as a restraint on prices.

The Survey noticed evidences of a change in the composition of primary production, with expansion continuing in the case of many commodities—not only food. The prices of many commodities were still attractive to producing countries.

The Survey expected import requirements in the developing countries to grow, causing heavy pressure on foreign exchange. In this situation consumption and development would compete strongly for import finance, the Survey stated.

Quarterly Economic Bulletin: Publication of the Economic Bulletin for Asia and the Far East continued in 1952. Governments of the region co-operated in the regular supply of current statistical data for the preparation of the semi-annual review of economic developments in the region and the quarterly sections on Asian statistics of production, transport, trade, prices, money and banking. The Bulletin, which is intended to provide a regular review of economic conditions in the area during the intervals between publication of the annual Economic Survey, also contained a number of special articles on economic problems of the region.

Standard international trade classification: The Commission, at its eighth session, had before it the report of the Working Party on the Standard International Trade Classification (SITC), conducted jointly by the ECAFE Secretariat and the Statistical Office of the United Nations (E/CN.11/317). The report was generally commended. A resolution (E/CN.11/336) was adopted, requesting the Executive Secretary, in collaboration with the United Nations Statistical Office, to discuss with governments the application of the SITC in the light of the Working Party's report and of any subsequent action by the United Nations Statistical Commission.

Statistical conferences and secretariat activities in the field of statistics: At its eighth session, the Commission considered a note by the Executive Secretary on the secretariat's activities in the field of statistics (E/CN.11/318), a report on Statistical Organization and Activities (E/CN.11/322 and Annexes A-K), and a report on Methods of National Income Estimation (E/CN.11/323 and Add.1 and Annexes A-C). These reports were generally commended, several delegations

expressing the view that the secretariat's activities in the field of statistics constituted one of its most important contributions to Asian economic development. A resolution (E/CN.11/337) was adopted, which, *inter alia*, requested the Executive Secretary, subject to the concurrence of the second regional conference of statisticians and in co-operation with the Statistical Office and TAA, to convene a third regional conference in 1953-54 to consider the adaptation, to the special conditions of the region, of standard practices for the estimation of national income.

During 1952, work continued on the compilation of files on basic statistical series on production, transport, trade, finance and prices. The index of economic statistics was expected to be ready for publication towards the end of 1953.

The second regional conference of statisticians was held in September 1952 by ECAFE in collaboration with the United Nations Statistical Office, FAO and TAA, in response to the Commission's request. Main items were agricultural production statistics, industrial production statistics, and wholesale price statistics. The Conference concurred with the Commission's recommendation to hold a third regional conference of statisticians in the ECAFE area in 1953 or 1954 to consider the application and promotion of international standards in the estimation of national income.

e. AGRICULTURE

At its eighth session, the Commission, noting the analysis of food and agricultural conditions in Asia and the Far East contained in a report by FAO (E/CN.11/320) and a statement by the representative of FAO, gave special attention to the fact that production was falling behind the rate of population increase. It noted with approval the recommendation of the FAO General Conference that countries should intensify work on agricultural development plans, with a view to expanding production by means of improved agricultural techniques, price stabilization and agrarian reforms, including land tenure changes. It emphasized the desirability of further developing paper and pulp production in the region.

The Commission adopted a resolution on land reform (E/CN.11/341). It also recommended that increased attention should be given to agricultural problems in the region, and urged still closer working relations between the secretariats of the Commission and FAO. In this connexion, the Commission noted the forthcoming discussions between the Director-General of FAO and the

Executive Secretary regarding the possibility of establishing an agricultural division in the secretariat, on a joint basis with FAO, similar to the divisions established in the secretariats of ECE and ECLA. The Commission supported this development in principle.

A joint ECAFE/FAO agriculture division was set up during 1952 and located at the temporary headquarters of the Commission, with staff jointly provided by the two organizations. A work programme of the joint division was established; it included a continuing review of economic developments in the fields of food and agriculture, agricultural development planning, agrarian reform, supplying of regional information on marketing and assistance to FAO headquarters in the preparation of the regional FAO conference on the agricultural situation.

f. RELATIONS WITH TAA AND ILO

At its eighth session, the Commission noted with satisfaction various aspects of closer co-operation with TAA as well as increasingly close working relations between the ECAFE secretariat and ILO.

During 1952, close co-operation was maintained between ECAFE and TAA. The ECAFE secretariat brought to the notice of TAA many regional needs for technical assistance and TAA, in turn, sought the secretariat's advice in the preparation of its own operational programmes and in the implementation of requests from countries. The secretariat continued to comment on fellowship and scholarship applications, in accordance with the Commission's request, and on requests by governments to TAA for technical assistance.

During 1952, TAA co-operated with ECAFE in the following activities: study trip of Asian railway experts to Europe, America and Japan; study trip of Asian iron and steel experts to Japan; seminar on the production and utilization of power alcohol; second regional conference of statisticians; and distribution of technical documentation.

g. REPRESENTATION, MEMBERSHIP AND AMENDMENTS OF THE RULES OF PROCEDURE

At its eighth session, the Commission considered two proposals by the USSR calling for: (1) the exclusion of the "representative of the Kuomintang" and the invitation of the Central People's Government of the People's Republic

of China to participate in the work of the Commission; and (2) the exclusion of the "representatives of South Korea and of Bao-Dai Vietnam" on the ground that they did not represent Korea and Vietnam respectively. The Commission adopted a motion for adjournment of the debate on the first motion, on the ground that it was inappropriate for the Commission to deal with this question while it was under consideration by the General Assembly, and the second proposal was ruled out of order by the Chairman on the ground that these countries had been elected associate members of the Commission.⁷³

The recommendation of the Commission to admit Japan as an associate member of the Commission (E/2171) was considered by the Economic and Social Council at its 597th plenary meeting on 10 June 1952. The Council also had before it a draft resolution by Pakistan (E/L.306), consideration of which had been postponed at the Council's resumed thirteenth session in December 1951.

The representative of Pakistan withdrew his draft resolution, which also sought the admission of Japan as an associate member, in favour of the text recommended by the Commission. He moved an amendment, however, according to which the Council would amend (instead of resolve to amend) the terms of reference of the Commission, on the ground that this would enable the Commission to invite representatives of Japan to participate forthwith in the work of the Commission. After support for the Commission's draft resolution had been expressed by the representatives of China, Egypt, Sweden, the United Kingdom and the United States, the Council adopted, by 17 votes to none, with 1 abstention, both the amendment and the draft resolution as amended and incorporated it in resolution 419 (XIV). By this resolution it amended the Commission's terms of reference to include Japan in the geographical scope of the Commission and among its associate members.

Amendments to the rules of procedure were also adopted (E/CN.11/339/Rev.1) by the Commission at its eighth session, on the basis of a note by the Executive Secretary (E/CN.11/329) regarding the recommendations of the Economic and Social Council at its thirteenth session (resolution 414 (XIII)).⁷⁴ The Council's recommendations related to the date and place of sessions of regional economic commissions and consultative arrangements between regional economic commissions and non-governmental organizations.⁷⁵

h. INVITATIONS CONCERNING ECAFE HEADQUARTERS AND THE NINTH SESSION OF THE COMMISSION

At its eighth session, the Commission had before it an invitation from the Government of the Philippines for it to establish its headquarters in Manila (E/CN.11/330). The representative of the Philippines suggested that closer relations could be developed between the countries and peoples of the region if the temporary headquarters of the Commission were established in a different part of the region every three or four years. The representative of Ceylon stated that his Government was equally anxious to act as host to the Commission. As regards the permanent headquarters, however, this was a matter for the General Assembly to decide.

The Commission agreed to consider the question further at its ninth session.

It unanimously recommended the acceptance of an invitation from the Government of Indonesia to hold the ninth session, and the meetings immediately preceding it, in Bandung (E/CN.11/L.46).

i. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

At its fourteenth session, held from 20 May to 1 August 1952, the Economic and Social Council considered, at its 597th meeting on 10 June, the report of ECAFE on its eighth session (E/2171), held from 29 January to 8 February 1952.

The Council had before it a draft resolution in two parts, recommended by the Commission for adoption by the Council. The first part would have the Council take formal note of the report and the programme of work and priorities it contained. The second part concerned the admission of Japan as an associate member of the Commission and amendment of the Commission's terms of reference accordingly.

The representatives of France, Pakistan, the Philippines, Sweden, the United Kingdom and the United States commended the report and the work achieved by the Commission. Generally speaking, these representatives felt that the Commission had made progress in wide fields under difficult circumstances; that it was helping the countries of the ECAFE region to draw greater

⁷³ For members of the Commission, see p. 38.

⁷⁴ See Y.U.N., 1951, pp. 66-67.

⁷⁵ See p. 553.

benefit from their relations with each other and with countries outside the area; and that it was helping to hasten economic development and to reduce poverty, hunger and disease.

The Council, by 17 votes to none, with 1 abstention, adopted as a whole a resolution (resolution 419(XIV)) in which it took note of the report.

3. Economic Commission for Latin America (ECLA)

The Economic Commission for Latin America, established by the Economic and Social Council at its sixth session in March 1948 (106(VI)), had held four sessions up to 1 January 1952. At this time it was committed to a work programme laid down at the fourth session, involving several continuing projects as well as new activities.

The Committee of the Whole met in Santiago from 11 to 14 February 1952, when it reviewed and approved the Commission's programme of work for 1952, which was divided into the following broad categories: economic development; economic problems of agriculture; international trade; the Economic Survey of Latin America. The Committee also noted proposals for seminars, meetings of experts and round-table discussions which had been envisaged in implementation of the Commission's programme. The programme of work and the proceedings of the Committee of the Whole are fully described in the Commission's fourth annual report to the Economic and Social Council (E/2185).

Close co-ordination between ECLA and other United Nations organs and agencies continued, as well as between ECLA and the Inter-American Economic and Social Council. A new feature was the joint work undertaken by ECLA and the Technical Assistance Administration (TAA) both in the field of industrial studies and the Training Centre for Economic Development.

The practical work of the Commission became more pronounced during 1952. The following is an account of its principal activities.

a. RESEARCH PROGRAMME

During the year, the ECLA secretariat was engaged in a large-scale programme of research, which the Commission at its fourth session had asked should be furnished to the fifth session at Rio de Janeiro in 1953. This research programme may be classified broadly under the following headings:

(a) Economic development, including the Economic Survey of Latin America 1951-1952, problems of the technique of programming, the economic integration of Central America and a special study on Ecuador;

(b) Industry, including special studies on iron and steel, and on paper and pulp;

(c) Trade, covering both intra-regional trade and trade between Europe and Latin America;

(d) Agriculture, including an analysis of factors hampering increased agricultural production, and country studies (Brazil, Peru, Ecuador).

While most of these projects were scheduled for completion in 1953, the secretariat in 1952 completed the studies on the iron and steel industry in Latin America, on economic integration and reciprocity in Central America, and on economic development in Ecuador. In view of the fact that ECLA did not hold a regular session in 1952, it was decided not to issue separately during the year the Economic Survey for 1951 but to cover both 1951 and 1952 in one issue. In accordance with the recommendation of the Commission at its fourth session, work was also undertaken on technological research and training.

Many of the projects described below also involved research, as, for example, the transportation survey in Central America, which was conducted on the basis of active research in the field.

b. ECONOMIC INTEGRATION AND RECIPROCITY IN CENTRAL AMERICA

(1) Meeting of Ministers of Economy

The Commission at its fourth session had requested the Secretariat to study means and plans for the progressive attainment of economic integration in Central America. Five Central American countries—Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua—were primarily concerned, while the Government of Panama also expressed interest.

The first session of the ECLA Committee of the Ministers of Economy of Central America on the subject of economic integration and reciprocity, met in Tegucigalpa at the invitation of the Government of Honduras, from 23 to 28 August (see E/CN.12/296).

The basic objective of the Committee is to promote the economic development of Central America. The Central American Republics have inadequate local markets, and the Committee felt that the gradual development of an integrated regional market would raise productivity and real income, stabilize economic activities at higher levels, strengthen the balance-of-payments position and contribute to the economic development of the region as a whole.

At the initial meeting in August, the Committee on Economic Co-operation was established as a standing committee of ECLA, and two resolutions were adopted defining its functions and laying down measures for internal co-ordination between the governments and with ECLA. The Republic of Panama was officially invited to become a member. A sub-committee was set up to study the question of standardizing customs tariff nomenclature for Central American countries. The sub-committee was to begin work in December 1952.

Later, an Inter-Secretariat Working Group which had been set up in November 1952, met to analyse the resolutions adopted and to determine the part to be played by the various United Nations organizations participating in the project. The group was presided over by a member of ECLA. One representative each from TAA, FAO and ILO participated.

In agreement with the Committee, the Inter-secretariat Working Group also laid down a system of priorities for technical assistance requests. It was decided, in principle, that no more than one mission should be working in a given country at any one time. In view of their urgency, however, three projects were excluded from this proviso. These were: for an institute for industrial technological research; for a senior school of public administration; and for technical training in the industrial and administrative fields.

The Working Group, in its report to the Technical Assistance Board, recommended priority in 1953 for five missions covering: electric power; livestock and dairy products; cotton and the textile industry; forest products, pulp and paper; and vegetable oils and fats.

(2) ECLA/TAA Mission on Transport in Central America

This Mission, which forms an integral part of the programme for economic integration and reciprocity, resulted from specific requests for technical assistance from the Governments of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama in May and June 1952. The Mission began its field work on 31 August 1952, returning to Mexico on 18 December after visiting the five Central American Republics and Panama. It included experts on railways, civil aviation, roads, ports and sea transport, and the economics of transportation.

The Mission investigated the various means of transport and compiled direct information concerning transport problems from the offices of the Governments concerned and from other sources.

On the basis of its findings, the Mission is to prepare a report to be submitted to the ECLA/TAA Seminar on Transportation in Central America and subsequently to the Committee on Economic Co-operation of Ministers of Economy in Central America.

c. ECLA/TAA MEETING ON IRON AND STEEL INDUSTRY

A meeting of the Expert Working Group on Iron and Steel Industry in Latin America was held in Bogota at the invitation of the Government of Colombia from 13 to 31 October 1952. A total of 117 experts participated in the meeting, and 82 background papers were contributed. The participants and the authors of the papers were chosen from nineteen different countries, and included European and North American experts. The agenda covered: fuel problems; iron ore reduction problems; steelmaking problems; and economic problems.

The economic section of the meeting studied four papers prepared by the ECLA Secretariat. The papers analysed conditions in seven countries of the region, in which either an integrated steel-making industry existed or which possessed, according to a preliminary investigation, the best possibilities for the establishment of such an industry. These countries were: Argentina, Brazil, Chile, Colombia, Mexico, Peru and Venezuela. Research was directed towards five main objectives:

- (1) analysis of the evolution of consumption and supply of iron and steel products;
- (2) study of the hypothetical costs of steel production in selected Latin American countries;
- (3) approximate investments necessary for establishing integrated steel plants, appropriate to the size of the respective markets in selected Latin American countries;
- (4) technical problems hindering the development of the steelmaking industry in the region; and
- (5) structure of the existing metallurgical industry and its relation to manufacturing activity in general.

The main results of the study may be summarized briefly as follows: Analysis of consumption in Argentina, Brazil, Colombia, Cuba, Chile and Mexico showed that their supply of steel products had fallen short of their requirements because of their limited capacity to import from abroad.

The size of the plant was found to be the most important single influence bearing on costs. If the scale of operation was small, the costs and the investment per unit of production were high and productivity was low.

The consumption rates of even those Latin American countries using the largest amount of

steel, were too small to justify the installation of modern specialized plants.

A detailed analysis of the most important factors affecting costs in Latin American steel industry showed that costs compared favourably with plants of the same sizes located at Sparrows Point, in the United States. However, generally speaking, plant sizes in the United States and Europe were much larger, and therefore costs were lower. This advantage, however, was offset by transportation costs from the industrialized countries to Latin American countries, except in the cases of Peru and Venezuela.

In all cases analysed, even in those which would result in high costs, and after allowing for the cost of imported materials and equipment, Latin American local steel production would result in a saving of foreign exchange per unit of steel manufactured.

Objections against establishing steel industries in Latin America had been based in the past on the fact that they required a high investment per unit of production. However, since iron and steelmaking are basic to many other transforming industries, the question of whether the establishment of iron and steel industries would not prove more economic in the long run needed to be studied.

Not every problem of interest to the Latin American steel industry was included in the agenda of the Bogota meeting; the basic objective was to discuss thoroughly the different problems involved rather than to reach specific agreements or recommendations.

A full report on the findings of the meeting is to be submitted to the fifth session of ECLA (E/CN.12/293).

d. ECLA/TAA ECONOMIC DEVELOPMENT TRAINING PROGRAMME

At the fourth session of the Commission, a resolution was passed requesting the Secretariat to consider means of establishing a training programme for Latin American economists in the field of economic development, and, in agreement with the Director General of TAA, to adopt administrative and financial measures for putting the programme into effect.

The participants had the opportunity of working in close contact with ECLA's economists, who had the requisite practical experience. Since this type of training cannot be imparted on a large scale, it was decided to limit the trainees to ten or twelve Latin American economists.

Ten fellowships were therefore granted for the programme, distributed as follows: Brazil, three; Chile, two; Cuba, Ecuador, El Salvador, Mexico and Paraguay, one each.

The first programme was due to end in February 1953.

e. OTHER ACTIVITIES

Pursuing the policy initiated in 1951, the Executive Secretary during the course of 1952, accompanied by the Deputy Executive Secretary and the Chief of Economic Studies in the Mexico Office, visited the Central American countries. The purpose of the visit was to discuss problems related to the project for economic integration in Central America, prior to the meeting of the Ministers of Economy in Tegucigalpa. The round-table discussions held in each country also included major internal economic problems.

An agricultural credit seminar met in Guatemala City from 15 September to 15 October, under the joint auspices of ECLA, FAO and the Government of Guatemala, for the purpose of exchanging ideas and experiences on this subject and improving agricultural credit services in the participating countries. For a month, delegates from nine countries in the northern part of Latin America and credit experts from other parts of the world thoroughly discussed all aspects of agricultural credit in the nine countries concerned. The means for increasing agricultural production through improvements in credit facilities were studied. A summary of the proceedings and a report is being prepared.

In addition to the projects undertaken jointly by ECLA and TAA, which are mentioned above, the following are examples of specific co-operative undertakings carried out during the year by ECLA and other United Nations bodies and agencies.⁷⁶

As part of the programme for the economic development of Latin American agriculture, a special study was undertaken with FAO on incentives for agricultural production. The information gathered covered the size of farms, managerial ability, the use of farm machinery and fertilizers, the adequacy of power (mechanical or otherwise), the quality of seeds, the extensiveness of irrigation, the level of prices and the availability of markets. In addition, separate studies were undertaken of agriculture in different countries, the first studies covering Chile, Brazil, Peru and Ecuador, the last being a condensation and synthesis of the broader economic study made earlier in the year by ECLA.

⁷⁶ See also under Fiscal Questions, for a study undertaken by the United Nations Fiscal Division at the request of ECLA, and under International Labour Organisation.

A joint ECLA/FAO study on development of paper and pulp industry in Latin America was undertaken by the Industry and Mining Division as part of its studies on industry. The study covered Argentina, Brazil, Chile, Colombia, Cuba, Mexico and Peru. The report was to discuss the following factors: 1) location, accessibility and size of natural resources; 2) an evaluation of the physical and chemical characteristics of the raw materials; and 3) demand trends and estimates of future requirements for the consumer goods to be produced, such as paper, newsprint and rayon.

A joint ECLA/ECE/FAO study of trade between Latin America and Europe was brought up-to-date during the year and published as a printed document.⁷⁷

The Fiscal Division of the United Nations collaborated with ECLA and the Inter-American Economic and Social Council in preparing a joint study on the incidence and effects of taxation on the sugar industry in the Central American and Caribbean countries.

At its fourth session, the Commission recommended that the Executive Secretary should consult with the executive heads of other international organizations concerned on immigration problems with a view to establishing an Inter-Agency Regional Co-ordination Committee on Migration. This Committee was duly set up, consisting of representatives of ECLA, ILO, FAO, UNESCO and WHO, as well as of the Intergovernmental Committee for European Migration, and has held three meetings.

The second meeting of the Inter-Secretariat Co-ordination Committee of ECLA and the Inter-American Economic and Social Council was held in Santiago on 8, 9 and 11 February and the third meeting in Washington, D. C., on 12 and 27 June 1952. They discussed in particular the financing of economic development and monetary and fiscal problems and agreed on the preparation of a joint study on the incidence and effects of taxation on the sugar industry in Central American and Caribbean countries (see above).

Plans for the participation of the Inter-American Economic and Social Council in the Monetary and Fiscal Seminar to be held at the end of 1953 were also discussed.

f. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council considered the Fourth Annual Report of ECLA (E/2185 and Add.1/Corr.1) at its 596th plenary meeting on 9 June 1952. The

majority of the Council commended the Commission for the valuable contribution it was making in furthering the objectives of economic development in the ECLA region, and for the practical measures of assistance which were being evolved.

Several representatives, among them those of Latin American countries and of France and the United States, commented on the importance of the studies designed to work out techniques for the programming of economic development, which would help to define the needs for capital investment in the process of development of Latin American countries. The study of monetary and fiscal policies, the representative of France considered, would be particularly valuable and would help each of the Latin American countries to decide for itself to what extent and under what conditions the expansion of bank credits could contribute to the financing of development plans. The representative of Belgium drew attention to the part of the report which dealt with the monetary difficulties hindering trade with Latin American countries and hoped that ECLA's work in that connexion would make it possible to resume the traditional flow of trade between Europe and Latin America. The United States representative also stressed the importance of the study undertaken by ECLA on the problems of trade within the region.

The representatives of France and the United States also expressed their satisfaction that the Commission, at the request of the countries concerned, had taken up studies of the economic integration of the countries of Central America, and observed that these countries were approaching the problem of integration at the early stages of their industrialization. The representative of Pakistan praised the valuable work ECLA was doing in training economists in the South American countries. He also stressed the value of monographs such as the Study of Labour Productivity of the Cotton Textile Industry in Five Latin-American Countries.⁷⁸ The representative of Uruguay expressed satisfaction that the Commission had devoted some time to the urgent problem of the shortage of pulp and paper.

The Council adopted by 16 votes to none, with 2 abstentions, the draft resolution proposed by the Commission (E/2185). By this resolution (420(XIV)) the Council took note of ECLA's annual report, and, considering the 1952-53 work programme of primary importance, endorsed the priorities allocated by ECLA's Committee of the Whole to the individual work projects.

⁷⁷ U.N.P., Sales No.: 1952.II.G.2.

⁷⁸ U.N.P., Sales No.: 1951.II.G.2.

The Council also had before it a recommendation by ECLA to study the possibility of adopting Portuguese as an official and working language of the Commission. The Council felt that the issue was largely financial and that the decision had to be made by the General Assembly and its Fifth Committee. However, members of the Council saw no objection to the use of Portuguese as an official and working language during the Commission's next session at Rio de Janeiro, a course which involved no additional cost to the United Nations.

4. Consideration by the General Assembly at its Seventh Session

The General Assembly considered the activities of the regional economic commissions during the Second Committee's general debate on economic development at its 195th to 209th meetings from 23 October to 12 November and specifically at its 239th and 240th meetings on 12 and 13 December, and at its 411th plenary meeting on 21 December 1952.

The representative of Chile, presenting a draft resolution on the activities of the regional economic commissions and economic development (A/C.2/L.155), emphasized that economic development should be considered from an inter-regional or inter-continental angle. Only international co-ordination of economic development programmes would make it possible to utilize the resources of each of the Latin American States, for example, in a suitable way. Such co-ordination would provide a remedy for excessive division of the market, competition between the various economic development programmes and excessive exploitation of the standard of living of the population in certain countries. The regional economic commissions, he stressed, were in a very good position to bring about international co-ordination by studying objectively the individual needs of each country and were thus able to address appropriate recommendations to the Economic and Social Council.

The representative of Ecuador thought the scope of the Chilean draft resolution should be enlarged and proposed (A/C.2/L.192), *inter alia*, the addition of two new paragraphs. The first of these would have the Assembly recommend that the already established economic commissions, individually and collectively, pay attention to promoting trade between the countries of their respective regions and those of the Middle and Near East. The second would recommend that ECLA continue certain studies on a larger scale.

However, he subsequently withdrew the proposal to add these paragraphs in favour of an oral United States proposal to add a statement that the collaboration of the regional economic commissions in promoting trade between countries of their respective regions should be furthered not only among these countries but also with those of other regions.

The representative of Chile at the 240th meeting presented a revised text (A/C.2/L.155/Rev.1) which incorporated the above amendment, the substance of drafting amendments by the United States (A/C.2/L.190) and the United Kingdom (A/C.2/L.191) and an amendment by France (A/C.2/L.193) which would add a paragraph on the contribution of ECE to the economic development of under-developed countries.

The representative of Ecuador considered that it was particularly important to mention ECLA's activities in the matter of basic industries and therefore he maintained a further amendment (A/C.2/L.190) which he had proposed to the original draft resolution. This would commend ECLA's initiation of integrated studies of the economic potentialities and development of various Latin American countries and the meetings of experts in basic industries, such as the meeting of the Expert Working Group on the Iron and Steel Industry in Latin America, held in Bogota.

A number of representatives, among them those of India, Indonesia, Peru and the Philippines, thought that this proposal would make the resolution unbalanced; either all three commissions should be mentioned in detail or the amendment specifically singling out ECLA should be deleted. An oral amendment by Saudi Arabia, as amended by India, to add a reference to the work of ECAFE was accepted by the representative of Ecuador who also agreed to accept a French oral amendment to delete the specific reference to the meeting of the Expert Working Group in Bogota. The Chilean representative accepted the revised amendment as well as a United States drafting amendment.

The draft resolution, as amended, was adopted by the Committee (A/2332 (VII)) at its 240th meeting on 13 December by 37 votes to none, with 8 abstentions, and by the General Assembly at its 411th plenary meeting on 21 December by 52 votes to none, with 5 abstentions, as resolution 627 (VII). It read:

"The General Assembly,

"Considering that the report of the Economic and Social Council (chapter III, section V) gives an account of the interesting activities of the Economic Commissions for Latin America and for Asia and the Far East in the

field of economic development of under-developed countries.

"Considering the important contribution which the Economic Commission for Europe can make to the economic development of the under-developed countries, not only by its action on behalf of the less-developed regions of Europe, but also by the collaboration it has established with the other regional economic commissions in carrying out joint studies,

"Bearing in mind that the economic development of under-developed countries, consistent with the objectives set forth in Article 55 of the Charter, namely, the promotion of "higher standards of living, full employment and conditions of economic and social progress and development", can best be carried out through co-ordination among the countries of a region and among the various regions,

"Bearing in mind that the regional economic commissions have become effective instruments of international economic co-operation, and, for that reason, should continue to play an important part in the work of stimulating co-ordinated economic development in their respective regions and should co-operate in the efforts of the countries to that end as well as in the work of resolving other problems connected with world economic stability,

"1. Notes with satisfaction that the Economic Commissions for Latin America and for Asia and the Far East have been especially active in promoting the acceleration of economic development of the countries in their respective regions, in accordance with the instructions of the General Assembly and of the Economic and Social Council, and believes that this activity should be further intensified;

"2. Commends in particular:

"(a) The collaboration established between the Economic Commissions for Europe, for Latin America and

for Asia and the Far East in promoting more trade between the countries of their respective regions, and declares that this collaboration should be furthered not only among these countries but also with countries of other regions, bearing in mind the objectives mentioned in General Assembly resolution 523 (VI) of 12 January 1952 and in particular its paragraph 1 (b), relevant policy decisions of the Economic and Social Council and the terms of reference of the Commissions;

"(b) The way in which the Economic Commission for Asia and the Far East, through its integrated studies, meetings of experts, specialized conferences and training centres on various aspects of economic development, is promoting trade and exerting efforts to develop the natural resources and industries of the countries of the region;

"(c) The activities of the Economic Commission for Latin America in the matter of the economic development of the countries of the region, and especially:

"(i) Its initiative in inviting the governments of the Central-American Republics to carry out a joint programme of great potential significance with a view to the economic integration of these countries, and believes it would be useful to explore the possibility of similar initiatives;

"(ii) The integrated studies it has initiated of the economic potentialities and development of various Latin-American countries;

"(iii) The meetings of experts on basic industries;

"(d) The improvements brought about by the Commissions in the inland transport of their respective regions."

K. HUMAN RIGHTS

1. The Right of Peoples and Nations to Self-Determination

The General Assembly, at its sixth session, decided (resolution 545 (VI)) that, in reaffirmation of the principle enunciated in the United Nations Charter, an article on the right of all peoples and all nations to self-determination should be included in the covenant or covenants on human rights. The article would, it declared, be drafted in the following terms: "All peoples shall have the right of self-determination" and would stipulate that all States, including those having responsibility for the administration of Non-Self-Governing Territories, should promote, in relation to the peoples of such States and Territories, the realization of that right, in conformity with the Purposes and Principles of the United Nations. By the same resolution the Assembly asked the Commission on Human Rights to prepare recommendations concerning international respect for the self-determination of peoples and in another resolution (549 (VI)) asked the Economic and Social Council to instruct the Commission to give priority to this question.

Both resolutions were formally transmitted to the Commission by the Economic and Social Council at a special session, held on 24 March 1952 (415 (S-1)).⁷⁹

a. CONSIDERATION BY THE COMMISSION ON HUMAN RIGHTS AT ITS EIGHTH SESSION

At its eighth session, held from 14 April to 14 June 1952 (E/2256), the Commission considered the question of the right of peoples and nations to self-determination as the first substantive item on its agenda.

It adopted the text of an article which it decided to include as article 1 both in the draft covenant on civil and political rights and in the draft covenant on economic, social and cultural rights. The article proclaimed the right of all peoples and nations to self-determination, namely, the right freely to determine their political, economic, social and cultural status. It declared that all States, including those having responsibility for the administration of Non-Self-Governing and Trust Territories and those controlling in what-

⁷⁹ See p. 447.

soever manner the exercise of that right by another people, should promote the realization of that right in all their Territories, and respect its maintenance in other States in conformity with the provisions of the Charter. The right of peoples to self-determination, it further stated, should include permanent sovereignty over their natural wealth and resources and in no case could a people be deprived of its means of subsistence on the grounds of any right claimed by other States.

The Commission also adopted two resolutions containing recommendations concerning international respect for the self-determination of peoples and nations, and asked the Council to transmit these to the Assembly.

The first would have the Assembly recommend (E/2256 A) that States Members of the United Nations:

(1) uphold the principle of self-determination of peoples and nations and respect their independence; (2) recognize and promote the realization of the right of self-determination of the people of Non-Self-Governing and Trust Territories under their administration; and (3) grant this right on a demand for self-government on the part of these people, the popular wish being ascertained, in particular, through a plebiscite held under the auspices of the United Nations.

In its second resolution (E/2256 B) the Commission proposed that the Council request the General Assembly to recommend that States Members of the United Nations responsible for the administration of Non-Self-Governing Territories voluntarily include in the information transmitted by them under Article 73e⁸⁰ of the Charter "details regarding the extent to which the right of peoples to self-determination is exercised by the peoples of these territories, and in particular regarding their political progress and the measures taken to develop their capacity for self-administration, to satisfy their political aspirations and to promote the progressive development of their free political institutions."

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council, at its 666th to 668th plenary meetings on 30 and 31 July 1952, considered the two draft resolutions A and B recommended by the Commission concerning international respect for the self-determination of peoples and nations.⁸¹

Those States administering dependent territories opposed the recommendations on various grounds.⁸² Among these were that they were an attempt to amend the Charter, that certain terms,

such as "peoples" or "self-determination of peoples" had not been defined; that various interpretations could result which might give rise to separatist or subversive movements; that the conditions, precautions, and obligations necessary for the effective realization of the right of self-determination had not been outlined; that the relationship between the Administering Powers and the peoples of the Non-Self-Governing Territories might be adversely affected; and that the recommendations drew distinctions between States, and were therefore discriminatory.

On the other hand, the representatives of Egypt, India, Lebanon, Pakistan, the Philippines, Poland and Uruguay disagreed with those opposing the recommendations. Among other things, they considered that the Commission's recommendations were in keeping with the spirit of the Charter; that the availability of accurate information by the Administering Powers on Non-Self-Governing Territories was essential to guarantee respect for the self-determination of peoples; that the provisions of the Charter itself justified the distinction between Member States administering dependent territories and other Member States; and that the Commission's recommendations had been adopted by a substantial majority, despite the arguments against them.

The United States representative said that he would vote for draft resolution A since he considered that its basic purpose was to encourage the Metropolitan Powers to improve their methods of ascertaining the political aspirations of the peoples under their administration. However, he pointed out, it was generally recognized that self-determination was a long-term problem to be resolved in stages. Further, he did not agree that a plebiscite was the only means of determining the wishes of the people, nor could he subscribe to certain provisions in the preamble to the draft resolution which referred to the existence of slavery where an alien people hold power over the destiny of a people, and he therefore submitted an amendment (E/L.445/Rev.1) to cover these points.

A number of representatives, among them those of Argentina, Canada, India, Pakistan, Poland, the USSR and Uruguay, expressed the view

⁸⁰ For text of this Article, see pp. 16-17.

⁸¹ The text of the draft article on the right of peoples and nations to self-determination was not considered, since the Council in resolution 440 (XIV) had decided not to discuss the draft covenants on human rights but to instruct the Commission to complete its work on them, see pp. 447-48.

⁸² For fuller explanation of views, see under General Assembly.

that, since the Assembly had requested the Commission to submit to it directly recommendations concerning international respect for the self-determination of peoples, any Council discussion should be confined to the procedure for transmitting the recommendations to the Assembly.

The majority agreed and the United States' amendment was therefore not voted on.

An oral Philippine amendment to forward to the Assembly the records of the Council's discussion was rejected by 8 votes to 8, with 2 abstentions.

The Polish representative had submitted a draft resolution (E/L.462) which would refer both draft resolutions to the General Assembly. He agreed to amend his draft resolution to add the words "without comment" as proposed by Cuba (E/L.464). The draft resolution, as amended, was adopted at the Council's 668th plenary meeting on 31 July 1952 by a roll-call vote of 14 to 3, with 1 abstention, as follows:

In favour: Argentina, Canada, China, Cuba, Czechoslovakia, Egypt, Iran, Mexico, Pakistan, Philippines, Poland, USSR, United States, Uruguay.

Against: Belgium, France, United Kingdom.

Abstaining: Sweden.

The representatives of Iran and the United States explained that their votes signified neither approval nor disapproval of the Commission's recommendations. The representative of Sweden had abstained because, although he thought the Commission's work excellent, he considered the material inadequately prepared for consideration by the Assembly at this stage.

By this resolution (440 B (XIV)) the Council transmitted without comment the two draft resolutions prepared by the Commission for the Assembly's consideration at its seventh session.

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The General Assembly discussed the recommendations of the Commission on Human Rights concerning international respect for the self-determination of peoples at the 443rd to 464th meetings of its Third Committee from 12 November to 3 December and its 403rd plenary meeting on 16 December 1952.

It had before it the relevant section of the report of the Economic and Social Council (A/2172) and a memorandum by the Secretary-General outlining the previous action taken on the question (A/2165).

(1) Views Expressed in the Third Committee

While supporting the principle of self-determination, representatives of States administering dependent territories opposed the Commission's recommendations. The majority of the Committee, however, expressed general support of the proposals.

Those opposing the recommendations held that they would do more to retard than advance the exercise of the right of self-determination. Moreover, the exercise of the right must be subordinated to the maintenance of world peace. The recommendations, they held, were not in accordance with the Charter, but attempted to amend and extend its scope. In particular it was argued that they discriminated against certain States, which was contrary to the principle of equality contained in Articles 1 and 2⁸³ of the Charter of the United Nations; that they sought to impose on certain States obligations which were not laid down in Chapters XI and XII⁸³ of the Charter; that the transmission of political information by States responsible for the administration of Non-Self-Governing Territories had been deliberately excluded from Article 73e and was now being requested under draft resolution B; that the Charter imposed a "sacred trust" on States responsible for administering Non-Self-Governing Territories to assist the inhabitants to govern themselves but recognized the need to take into account a people's capacity for full self-government, which was ignored under draft resolution A; that no attention had been paid to the "particular circumstances of each territory" mentioned in Articles 73 and 76⁸³ of the Charter; that the administration of a territory fell within the domestic jurisdiction of the State responsible; and that the recommendations were discriminatory since they applied only to Non-Self-Governing Territories.

The representatives of Australia, the United Kingdom and the United States pointed out that no definition of terms such as "peoples", "nations" and "the right of self-determination" had been established and the conditions of the exercise of the right of self-determination had not been clearly laid down. It was emphasized that the word "peoples" was open to different interpretations, each giving rise to extremely complex problems which had not been sufficiently studied. In this connexion the representatives of Australia, Belgium, France, the Netherlands, New Zealand and the United Kingdom mentioned the question of minorities claiming the right of self-determination, the duties of the various States con-

⁸³ For text, see under Charter of the United Nations, pp. 10 ff.

cerned in such cases, and the criteria to be regarded as applying in any particular interpretation of the word "peoples". The exercise of the right of self-determination without any limitations or safeguards might be a cause of friction and disturb the friendly relations between nations and might lead to anarchy, the French and New Zealand representatives, among others, maintained.

The representatives of France and New Zealand also thought that the recommendations should be studied in their relation to the article on the right of self-determination included in the draft covenants on human rights. It was argued that the purpose of the two draft resolutions was to implement that article and, since the covenants themselves were not yet in final form, the General Assembly could not effectively consider the application of any single article. The representative of China said that it would perhaps be wiser to draft a third covenant on the right of peoples to self-determination.

Among the arguments advanced in support of the recommendations, emphasis was given to the urgency of taking some action immediately. It was argued that the recommendations were in keeping with the principles of the Charter; that since the transmission of political information was not included in Article 73e, the States concerned had been asked to supply such information voluntarily; that Chapter XI provided that Non-Self-Governing Territories would be held "in sacred trust" by the States responsible for their administration until they were able to govern themselves, but not that they would be owned by such States; that the provisions relating to Non-Self-Governing and Trust Territories must be interpreted in the light of Article 1, paragraph 2, and Article 55 of the Charter. The representative of Iraq expressed the view that Article 2, paragraph 7, of the Charter, relating to domestic jurisdiction, could not be applied in respect of territories geographically removed from the sovereign States responsible for their administration. Moreover, the Yugoslav representative stated that the question was not one of domestic jurisdiction, because the right of self-determination, as a principle enshrined in the Charter, prevailed.

Some representatives, among them those of India, Indonesia, Israel, Lebanon and Pakistan, pointed out that precise definitions of legal concepts were not a prerequisite for the inclusion of those concepts in a legal instrument. Examples from the Charter and from the covenants on human rights were given to illustrate the fact that fundamental concepts which had not yet

been ultimately defined and appeared incapable of definition had nevertheless been included in those instruments. The representative of Pakistan further stressed that to attempt to draw up precise legal definitions would mean unwarranted delay in implementing the right of peoples to self-determination. Problems which became the concern of the international community could not be solved by a purely technical juridical approach since they were not exclusively legal in character but were indivisibly linked with the economic, social and political elements. Moreover, some latitude of interpretation to fit particular circumstances and situations had to be allowed in the case of all the rights included in the covenants on human rights.

With regard to draft resolution B, the representatives of Guatemala, India and Norway pointed out that its recommendation that information should be provided on the exercise of the right of people to self-determination would make it possible for the United Nations to have before it authentic information from official sources on which to base its decisions.

The representatives of Australia, Belgium, Ecuador, Honduras, New Zealand, Norway, the Union of South Africa, the United Kingdom, the United States and Venezuela, among others, criticized the reference to slavery contained in the preamble to draft resolution A and said that the use of the word was unjustified. The representatives of India and Poland argued that those paragraphs of the preamble should be considered from the point of view of the principle it proclaimed, which was respect for human dignity, and that to the dependent peoples a state of subjugation to another Power was little better than slavery. It was generally agreed, however, that slavery in that context was not used in the sense of the definition contained in article I of the International Slavery Convention of 1926, namely, ownership of one human being by another.

Several representatives, among them the Belgian and United States representatives, commented on the fact that a plebiscite might not be the only method nor necessarily the best method of ascertaining the will of the people. As an illustration of methods other than plebiscites, reference was made to the fact that the will of the people was in many countries expressed by means of general elections. It was emphasized, however, that such other methods must be recognized democratic methods and therefore have an electoral character and have generally demonstrated their validity. The representative of Honduras thought that it should be clearly stated that

a plebiscite would be held only when emancipation took place by peaceful means.

(2) **Draft Resolutions** Considered and Resolutions Adopted

(a) **DRAFT RESOLUTION A**

Draft resolution A, submitted by the Commission in the form of a draft resolution (E/2256 A) for adoption by the General Assembly, recommended that Member States should:

(1) uphold the principle of self-determination of peoples and nations and respect their independence; and (2) recognize and promote the realization of the right of self-determination of the peoples of Non-Self-Governing and Trust Territories who were under their administration and grant that right on a demand for self-government on the part of those peoples, the popular wish being ascertained in particular through a plebiscite held under the auspices of the United Nations.

Amendments to this draft resolution were submitted by the United States (A/C.3/L.294 and Rev. 1), jointly by Costa Rica, Guatemala, Haiti, Honduras and Nicaragua (A/C.3/L.295), by Saudi Arabia (A/C.3/L.296) and by Syria (A/C.3/L.298 and Rev. 1).

Sub-amendments to the United States amendment were submitted by India (A/C.3/L.297 and Rev. 1), by Ethiopia (A/G3/L.301), by Greece (A/C.3/L.303) and by Afghanistan (A/C.3/L.307).

Sub-amendments to the amendment proposed by India were submitted by Greece (A/C.3/L.302), jointly by Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Uruguay and Venezuela (A/C.3/L.304), by Argentina (A/C.3/L.306), by Afghanistan (A/C.3/L.308) and jointly by Iraq and Pakistan (A/C.3/L.309 and Rev.1).

Alternative draft resolutions were submitted by the United Kingdom (A/C.3/L.299) and by Lebanon (A/C.3/L.305).

The following decisions on the draft resolution and amendments were taken by the Committee.

(1) It adopted by a roll-call vote of 34 to 12, with 6 abstentions, a new first paragraph to the preamble (for text, see resolution adopted below) proposed by Saudi Arabia (A/C.3/L.296).

(2) By 31 votes to 11, with 5 abstentions, the Committee adopted a United States proposal (A/C.3/L.294/Rev.1) to delete two paragraphs of the preamble which would have the Assembly declare it essential to abolish slavery and that it exists where an alien people hold power over the destiny of a people.

(3) It adopted by 26 votes to none, with 24 abstentions, two new paragraphs (see the third and fourth paragraphs of the preamble) proposed by the United States (A/C.3/L.294 and Rev.1). The statement that

the Charter "affirms the principles which should guide them" was first adopted in a separate vote of 14 to 6, with 30 abstentions.

(4) An Ethiopian sub-amendment (A/C.3/L.301), to add a phrase expressing recognition of the principle that the interests of the inhabitants of non-self-governing territories are paramount, was withdrawn.

(5) As regards the operative part of the draft resolution, the Committee adopted by 33 votes to 6, with 11 abstentions, a United States amendment (A/C.3/L.294/Rev.1), as amended by India, to delete the words "and respect their independence" at the end of the first operative paragraph. The United States representative had originally proposed to substitute the phrase "and respect the independence of all States" but had agreed to the Indian proposal (A/C.3/L.297) to refrain from any reference to independence.

(6) A sub-amendment by fifteen Latin American delegations (see above) (A/C.3/L.304) to rephrase paragraph 1 to refer to the upholding of the principle of "the equality of rights" and the self-determination of all peoples and nations was withdrawn.

(7) On the basis of an Indian sub-amendment (A/C.3/L.297 and Rev. 1) to a United States amendment (A/C.3/L.294/Rev.1),⁸⁴ the Committee adopted the second operative paragraph, as a whole, by a roll-call vote of 31 to 15, with 7 abstentions (for text, see resolution adopted below).

Prior to this the Committee adopted the following changes to the Indian sub-amendment.

(i) By 33 votes to 5, with 16 abstentions, a proposal by the fifteen Latin-American delegations (A/C.3/L.304) to replace the phrase "shall grant this right to the people of such territories" with the words "shall facilitate the exercise of this right by the peoples of such Territories."

(ii) By a roll-call vote of 21 to 9, with 23 abstentions, an Afghanistan sub-amendment (A/C.3/L.308)⁸⁵ to replace the words "particular circumstances of" with the phrase "principles and spirit of the Charter of the United Nations in regard to."

(iii) Following India's acceptance of a sub-amendment (A/C.3/L.304) by the fifteen Latin American delegations replacing the words "a plebiscite under the auspices of the United Nations or other recognized democratic means with "plebiscites or other recognized democratic means, preferably under the auspices of the United Nations," the Committee adopted the word "preferably" by 18 votes to 11, with 20 abstentions.

The Committee rejected by a roll-call vote of 24 to 11, with 18 abstentions, an amendment by Iraq and Pakistan (A/C.3/L.309/Rev.1) to replace the last phrase of the second operative paragraph by "The wishes of the peoples concerned shall be ascertained through a plebiscite

⁸⁴ The United States proposal for a new operative paragraph 2 differed from the Indian sub-amendment in that it would refer to people in all territories, including the Non-Self-Governing Territories. It was not voted on as a result of the adoption of the amended Indian sub-amendment.

⁸⁵ Also submitted as sub-amendments (A/C.3/L.307 & A/C.3/L.312) to the United States amendment and to the Argentine sub-amendment (A/C.3/L.306).

or other recognized democratic means when necessary under the auspices of the United Nations".

The following sub-amendments were withdrawn as a result of the voting on paragraph 2 of the operative part of the resolution.

(i) By Greece (A/C.3/L.302) to the Indian sub-amendment and (A/C.3/L.302) to the United States amendment to add, as orally amended by the Greek representative, the words "consistent with the principles contained in this resolution" after the words "democratic means."

(ii) By Argentina (A/C.3/L.306) to replace the Indian text with a new paragraph the principal difference of which was that it would call for recognition and promotion of the right of self-determination of all people and would call on States administering dependent territories to grant this right.

(iii) By Costa Rica, Guatemala, Haiti, Honduras and Nicaragua (A/C.3/L.295) to amend the Commission's draft resolution (E/2556 A) by replacing the word "grant" with "acquiesce" and the last phrase with a provision for a plebiscite under United Nations auspices if it became necessary to ascertain the popular wish.

(iv) By Ethiopia (A/C.3/L.301) to replace the United States text with one introducing, in particular, the idea of the wishes of the people and their ability to exercise the right of self-determination being ascertained by the United Nations through recognized and established procedures.

(8) The Committee adopted by 29 votes to 9, with 15 abstentions, a new third paragraph as proposed (A/C.3/L.298/Rev.1) and orally amended by Syria (for text, see resolution adopted below).

The draft resolution proposed by the Commission, as amended, was adopted by the Third Committee, as a whole, at its 460th meeting on 1 December by a roll-call vote of 34 to 13, with 6 abstentions. (See below for text.)

The General Assembly considered the Third Committee's recommendation (A/2309 and Corr.1) at its 403rd plenary meeting on 16 December. The representative of the United States reintroduced two amendments (A/L.132) to the second operative paragraph. The first, which was rejected by 28 votes to 22, with 5 abstentions, would have called for the recognition and promotion of the realization of the right of self-determination of the peoples of all territories, including those of the peoples of Non-Self-Governing and Trust Territories. . . . The second, which was rejected by 30 votes to 13, with 12 abstentions, would have provided for the ascertainment of the wishes of the people through plebiscites under the auspices of the United Nations or other recognized democratic means. In view of the rejection of the second amendment, a Greek amendment, accepted by the United States, to add the words "consistent with the

principles contained in this resolution", was not voted on.

The Assembly voted separately on the first paragraph of the preamble of the draft resolution and on paragraph 3 of the operative part, as follows (for texts, see below):

First paragraph of the preamble: Adopted by a roll-call vote of 38 to 13, with 9 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom, United States.

Abstaining: China, Ecuador, Israel, Nicaragua, Paraguay, Peru, Sweden, Thailand, Turkey.

Paragraph 3 of the operative part: Adopted by a roll-call vote of 39 to 3, with 17 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Belgium, France, Union of South Africa.

Abstaining: Australia, Canada, Denmark, Greece, Iceland, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Sweden, Thailand, Turkey, United Kingdom, United States.

The draft resolution, as recommended by the Third Committee (A/2309 and Corr.1) was adopted, as a whole, by a roll-call vote of 40 to 14, with 6 abstentions, as resolution 637 A (VII). The voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Egypt, El Salvador, Ethiopia, Greece, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Mexico, Pakistan, Panama, Peru, Philippines, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States.

Abstaining: Ecuador, Israel, Nicaragua, Paraguay, Thailand, Turkey.

The representatives of Australia, Belgium, the Byelorussian SSR, France, Poland, the USSR, the United Kingdom and the United States explained

their votes on the basis of reasons given in the debates.

Resolution 637 A (VII) read:

"Whereas the right of peoples and nations to self-determination is a prerequisite to the full enjoyment of all fundamental human rights,

"Whereas the Charter of the United Nations, under Articles 1 and 55, aims to develop friendly relations among nations based on respect for the equal rights and self-determination of peoples in order to strengthen universal peace,

"Whereas the Charter of the United Nations recognizes that certain Members of the United Nations are responsible for the administration of Territories whose peoples have not yet attained a full measure of self-government, and affirms the principles which should guide them,

"Whereas every Member of the United Nations, in conformity with the Charter, should respect the maintenance of the right of self-determination in other States,

"The General Assembly recommends that:

"1. The States Members of the United Nations shall uphold the principle of self-determination of all peoples and nations;

"2. The States Members of the United Nations shall recognize and promote the realization of the right of self-determination of the peoples of Non-Self-Governing and Trust Territories who are under their administration and shall facilitate the exercise of this right by the peoples of such Territories according to the principles and spirit of the Charter of the United Nations in regard to each Territory and to the freely expressed wishes of the peoples concerned, the wishes of the people being ascertained through plebiscites or other recognized democratic means, preferably under the auspices of the United Nations;

"3. The States Members of the United Nations responsible for the administration of Non-Self-Governing and Trust Territories shall take practical steps, pending the realization of the right of self-determination and in preparation thereof, to ensure the direct participation of the indigenous populations in the legislative and executive organs of government of those Territories, and to prepare them for complete self-government or independence."

(b) **DRAFT RESOLUTION SUBMITTED BY
THE UNITED KINGDOM**

The alternative draft resolution submitted by the United Kingdom (A/C.3/L.299) proposed that self-determination be defined as a principle rather than as a right. Inter alia, it would call on Member States to uphold and recognize this principle and to promote its application in relation to peoples of all territories and nations under their control, in a manner appropriate to the particular circumstances.

Saudi Arabia moved, as an amendment (A/C.3/L.296) to this draft resolution, the amendment it had submitted to the preamble of draft resolution A. Afghanistan submitted, as an amendment (A/C.3/L.310) to the United Kingdom

text, the amendments (A/C.3/L.307 and A/C.3/L.308) it had submitted as sub-amendments to the United States amendment to draft resolution A and the Indian sub-amendment thereto.

However, following the adoption of draft resolution A, as amended, the United Kingdom withdrew the alternative proposal.

(c) **DRAFT RESOLUTION SUBMITTED BY
LEBANON**

Lebanon also submitted an alternative text (A/C.3/L.305) to which the same amendments were moved by Afghanistan (A/C.3/L.311) and Saudi Arabia. This text, inter alia, would recommend that Members, resorting where necessary to the use of plebiscites or other recognized democratic means under the auspices of the United Nations to ascertain the wishes of the peoples concerned, should: (1) ensure the free exercise of the right of self-determination to people having capacity for self-government; and (2) prepare for the exercise of this right those peoples in the Non-Self-Governing Territories which have not yet achieved the capacity for self-administration.

The Committee, however, at its 461st meeting on 2 December, by 21 votes to none, with 26 abstentions, adopted an oral proposal by Saudi Arabia not to vote on the Lebanese proposal in view of the adoption of draft resolution A, as amended.

(d) **DRAFT RESOLUTION B**

The representative of Lebanon submitted a draft resolution (A/C.3/L.293/Rev.1) the text of which differed only in form from draft resolution B recommended by the Commission on Human Rights. The latter had been in the form of a recommendation to the Council. As altered, the draft resolution would have the Assembly recommend States Members of the United Nations responsible for the administration of Non-Self-Governing Territories voluntarily to **include** in the information transmitted by them under Article 73e of the Charter details regarding the extent to which the right of peoples to self-determination is exercised by the peoples of those territories. It was also proposed that this information should include details, in particular, regarding the political progress of the peoples of those territories and the measures taken to develop their capacity for self-administration, to satisfy their political aspirations and to promote the progressive development of their free political institutions.

The representative of Lebanon accepted amendments by Haiti (A/C.3/L.314) adding the words

"and nations" after "peoples" in the preamble and in the operative paragraph. He also accepted, after it had been revised and orally amended, an amendment by India (A/C.3/L.315/Rev.1) calling for the addition of a second operative paragraph, under which the General Assembly would decide to place the resolution on the agenda of the Committee on Information from Non-Self-Governing Territories at its next session in 1953. In view of the revision of the Indian amendment, Saudi Arabia withdrew amendments (A/C.3/L.316) to the original Indian text (A/C.3/L.315) which would have addressed the recommendations to the Committee on Information from Non-Self-Governing Territories and not directly to Member States.

The representative of Afghanistan withdrew an oral amendment to the revised Indian text which would have called on the Committee on Information to consider the resolution in the light of the discussions in the Third Committee. He also withdrew an oral amendment proposing the "regular" rather than "voluntary" transmission of information.

The revised Indian amendment was adopted by 30 votes to 8, with 12 abstentions.

The draft resolution, as amended, was adopted by the Third Committee (A/2309 and Corr.1) at its 464th meeting on 3 December by a roll-call vote of 38 to 10, with 4 abstentions, and by the General Assembly at its 403rd plenary meeting on 16 December 1952 by 39 votes to 12, with 5 abstentions.

In the plenary meeting, the representatives of the Byelorussian SSR, Poland and the USSR explained their votes in favour and the representatives of Australia, Belgium, France and the United Kingdom their votes against the resolution, on the same grounds as given during the debates.

The resolution (637 B (VII)) read:

"The General Assembly,

"Considering that one of the conditions necessary to facilitate United Nations action to promote respect for the right of self-determination of peoples and nations, in particular with regard to the peoples of Non-Self-Governing Territories, is that the competent organs of the United Nations should be in possession of official information on the government of these Territories,

"Recalling its resolution 144(II) of 3 November 1947 in which it declared that the voluntary transmission of such information was entirely in conformity with the spirit of Article 73 of the Charter, and should therefore be encouraged,

"Recalling its resolution 327(IV) of 2 December 1949 in which it expressed the hope that such of the Members of the United Nations as had not done so might voluntarily include details on the government of

Non-Self-Governing Territories in the information transmitted by them under Article 73 e of the Charter,

"Considering that at the present time such information has not yet been furnished in respect of a large number of Non-Self-Governing Territories,

"1. Recommends States Members of the United Nations responsible for the administration of Non-Self-Governing Territories voluntarily to include in the information transmitted by them under Article 73 e of the Charter details regarding the extent to which the right of peoples and nations to self-determination is exercised by the peoples of those Territories, and in particular regarding their political progress and the measures taken to develop their capacity for self-administration, to satisfy their political aspirations and to promote the progressive development of their free political institutions;

"2. Decides to place the present resolution on the agenda of the Committee on Information from Non-Self-Governing Territories for its next session in 1953."

(e) EIGHT-POWER DRAFT RESOLUTION

Afghanistan, Argentina, Chile, Guatemala, Iraq, Lebanon, Mexico and Pakistan submitted a draft resolution (A/C.3/L.317) under which the Commission on Human Rights would be instructed to continue preparing recommendations concerning international respect for the right of self-determination of peoples and particularly steps which might be taken by the various organs of the United Nations and the specialized agencies, and to submit its recommendations to the General Assembly. Oral amendments proposed by the representative of the United States, according to which the General Assembly's request and the Commission's recommendations would be transmitted through the Economic and Social Council, were accepted by the sponsors.

The Committee rejected by 22 votes to 16, with 14 abstentions, an amendment (A/C.3/L.318) by the Ukrainian SSR calling for the addition, at the end of the first operative paragraph 1, of the words "including the peoples of Non-Self-Governing and Trust Territories" (see below).

The draft resolution, as amended, was adopted by the Third Committee (A/2309 and Corr.1) by a roll-call vote of 38 to 7, with 8 abstentions.

Following the rejection by 30 votes to 17, with 12 abstentions, of the same Ukrainian amendment (A/L.133), the General Assembly at its 403rd plenary meeting on 16 December 1952 adopted the resolution proposed by the Third Committee by 42 votes to 7, with 8 abstentions.

In the plenary meeting, the representative of the United Kingdom opposed the resolution on the ground that the Commission was not the proper organ for a discussion of the question of self-determination. The representatives of Po-

land and the USSR stated that they might have voted for the resolution if the Ukrainian amendment had been adopted.

The resolution (637 C (VII)) read:

"The General Assembly,

"Considering that it is necessary to continue the study of ways and means of ensuring international respect for the right of peoples to self-determination,

"Considering that the recommendations it has adopted at its seventh session do not represent the only steps that can be taken to promote respect for such right,

"1. Requests 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, within the limits of their resources and competence, by the various organs of the United Nations and the specialized agencies to develop international respect for the right of peoples to self-determination;

"2. Requests the Commission on Human Rights to submit through the Economic and Social Council its recommendations to the General Assembly."

2. Draft International Covenants on Human Rights and Measures of Implementation

At its sixth session the General Assembly had discussed, in detail, the report of the seventh session of the Commission on Human Rights (E/1992) and had adopted a series of resolutions.⁸⁶ These, *inter alia*, recommended that:

(1) the Commission draft two covenants—one to contain civil and political rights and the other economic, social and cultural rights; (2) when revising the draft articles on economic, social and cultural rights, the Commission take into consideration the views expressed during the discussion of the covenants and also any views which Member States, the specialized agencies and non-governmental organizations might advance; (3) an article on the right of peoples and nations to self-determination be included in one or both covenants and that the Commission should prepare recommendations concerning international respect for that right;⁸⁷ (4) the Commission prepare for inclusion in both covenants one or more clauses relating to the admissibility or non-admissibility of reservations and to the effect to be attributed to them; (5) the words *derechos humanos* instead of *derechos del hombre* be used in all United Nations working documents and publications in Spanish; and (6) the Council forward certain documents on measures of implementation to the Commission as basic working papers for its consideration in connexion with the drafting of provisions on measures of implementation.

As further instructed by the General Assembly (resolution 549(VI)) the Council held a special session on 24 March 1952 and by 14 votes to none, with 3 abstentions, transmitted all the above recommendations to the Commission so that it

might complete its work in connexion with the draft covenants in time to allow the Council, at its fourteenth session, to transmit the draft covenants and recommendations thereon to the Assembly at its seventh session (415 S.1).⁸⁸

The Commission on Human Rights held its eighth session from 14 April to 14 June 1952 (E/2256) and considered the draft covenants on human rights in the light of the General Assembly's resolutions. On the basis of the preliminary work undertaken at its seventh session (E/1992) it adopted articles on economic, social and cultural rights and on civil and political rights. It also adopted an article on the right of peoples and nations to self-determination.⁸⁹ The Commission was not able, in the period of time available, to carry out the other instructions of the General Assembly and did not discuss the existing provisions or proposals relating to measures of implementation or proposals for additional articles on civil and political rights. Nor was it able to consider the question of reservations, the problem of the federal State clause, or the other final clauses of the draft covenants.

The Commission recommended to the Council that it be authorized to complete its work on the two covenants in 1953, so that they might then be submitted simultaneously to the Council and the General Assembly.

The Council considered the Commission's report (E/2256) at its 665th and 666th plenary meetings on 30 July 1952. It had before it a draft resolution (E/L.457) by the USSR which would invite the Assembly to reconsider its decision to draft two covenants (resolution 543 (VI)), with a view to instructing the Commission to prepare a single draft covenant at its next session. Those supporting this resolution, among them the representatives of Czechoslovakia, Mexico and Poland, stressed, as did the USSR representative, that the enjoyment of economic, social and cultural rights was so closely linked with that of civil and political rights that to separate the two groups into two covenants would create an artificial division. It was argued, moreover, that the two categories of rights had been linked in the Universal Declaration of Human Rights and, further, that the decision to prepare two covenants represented a retrograde step compared with the recommendations which the General Assembly had adopted at its fifth session. They

⁸⁶ See Y.U.N., 1951, pp. 481-94.

⁸⁷ See also p. 439.

⁸⁸ Adopted on the basis of a Philippine draft resolution (E/L.312).

⁸⁹ See pp. 439-40.

also pointed out that the Assembly had only decided by a small majority, and after long debate, to reverse its decision and request the preparation of two covenants.

Some representatives, among them those of Argentina, Cuba and Pakistan, while favouring a single covenant rather than two covenants in principle, were of the opinion that the Council was not the appropriate organ to recommend a change in the decision of the Assembly at this stage. It was also stressed by the representatives of Canada, France, the Philippines, the United Kingdom and the United States, among others, that any attempt to change the decisions of the General Assembly at this time would cause delay and confusion, since the Commission on Human Rights had already done considerable work on the preparation of two covenants. In this connexion, the representatives of Argentina and Pakistan pointed out that the two covenants could be merged into one at a later stage if the General Assembly wished to reverse its decision.

The representatives of France and the United Kingdom, among others, expressed the view that nothing had happened since the adoption of Assembly resolution 543 (VI) to justify a recommendation that its decision be reversed and that the interdependence of economic, social and cultural rights and civil and political rights was not a strong enough argument in favour of having only one covenant.

At its 666th plenary meeting on 30 July 1952 the Council rejected the USSR draft resolution by 10 votes to 6, with 2 abstentions. On the basis of a proposal by the Philippines, Sweden and the United States (E/L.449), it decided (resolution 440 A (XIV)) by 11 votes to 3, with 4 abstentions, to instruct the Commission to complete its work on the two covenants at its next session in 1953 and to submit them simultaneously to the Council.

3. Communications Concerning Human Rights

The Commission on Human Rights held its eighth session from 14 April to 14 June 1952. A non-confidential list (E/CN.4/CR.21) of communications on human rights prepared by the Secretary-General and dealing with principles involved in the promotion of universal respect for and observance of human rights was circulated to members of the Commission. A confidential list, summarizing other communications concerning human rights, was presented to the Commis-

sion, as at previous sessions, in a private meeting, together with fifteen replies from governments.

The Commission decided, for the first time, to include in its report a statement on the lists of communications dealt with during the period 3 April 1951 to 7 May 1952. The statement revealed, *inter alia*, that of a total of 25,279 communications, the great majority (24,194) dealt with alleged persecution on political grounds; other communications principally alleged genocide (305), violation of the right of freedom of assembly and association (119), discrimination and violation of rights of minorities (64), violation of trade union rights (83) and 478 communications alleged various violations. Of the total, 36 dealt with principles involved in the promotion of universal respect for and observance of human rights and were distributed in the non-confidential lists.

The Commission discussed a proposal that it should request the Council to reconsider resolution 75(V), as amended,⁹⁰ and authorize the Commission to make reports and recommendations to the Council on communications regarding human rights. That part of the proposal requesting the Council to reconsider resolution 75 (V) was rejected and the remainder of the draft resolution withdrawn.

The question of communications concerning human rights was discussed by the Economic and Social Council at its 656th plenary meeting on 23 July. The General Assembly in resolution 542 (VI)⁹¹ had invited the Council to instruct the Commission on Human Rights for its ninth session with regard to such communications, and to request the Commission to formulate its recommendations on them.

The Council had before it two proposals:

(1) a joint draft resolution (E/L.447) by Egypt and Uruguay by which the Council would: (a) request the Commission to report or make recommendations to it on communications alleging violations of human rights which, in the Commission's opinion, merited the attention of the Council; (b) suggest certain criteria to the Commission in deciding which communications merited the Council's attention; and (c) request that such communications be transmitted to the Council together with any relevant replies or observations by governments. The Commission would further be asked, under the resolution, to recommend any modifications to resolution 75(V), as amended, which might be necessary to give effect to this resolution.

(2) a draft resolution (E/L.445) by Canada under which the Council, considering that the Commission on

⁹⁰ This provided for a procedure for the examination of communications relating to human rights. For the procedure, as amended, see Y.U.N., 1950, p. 534.

⁹¹ See Y.U.N., 1951, p. 495.

Human Rights at its eighth session had rejected a proposal to request the Council to reconsider resolution 75(V), would decide not to take action on this matter at this time and to inform the General Assembly of this decision.

In support of their draft resolution, the representatives of Egypt and Uruguay maintained that the procedure set up by resolution 75(V) was unsatisfactory. The Commission's inability to act on those communications not only diminished its prestige but also damaged the reputation of the United Nations. If the Council decided to wait until machinery was set up under the covenants on human rights to deal with alleged violations, there would be considerable delay, since, after drafting and adoption, the covenants would still require ratification by 27 States before coming into force. Moreover, it was said, the machinery at present proposed in the covenants provided for action only in cases of complaints by States. It was also argued that, under the Charter, Member States had undertaken to promote respect for human rights and fundamental freedoms, and that the Commission's terms of reference would allow it to make recommendations concerning any questions relating to human rights, including communications.

The representatives of Belgium, Canada, China, France, Poland and the United Kingdom, however, felt that a real solution could be found only within the framework of the covenants on human rights, which would have the necessary legal force to enable the United Nations to ensure their execution.

Since the Canadian draft resolution had been submitted first, it was put to the vote first and was adopted by 11 votes to 3, with 4 abstentions, as resolution 441 (XIV). A vote was not taken on the joint draft resolution by Egypt and Uruguay.

4. Yearbook on Human Rights

The Yearbook on Human Rights for 1950, the English edition of which was published in 1952, introduced several new features in response to resolution 303 H (XI)⁹² of the Economic and Social Council.

Part I contains all new constitutional provisions on human rights promulgated throughout the world and legislative texts enacted during 1950, with explanatory notes. In addition, pursuant to the above mentioned resolution, for the first time, summaries of, or references to decisions of national courts were included in this part. A total of 71 sovereign States (among them 53

Member States) are represented with twelve constitutions, 272 statutory texts (or summaries of texts) and summaries of 98 decisions given by national courts. Part II contains laws and other texts on human rights in Trust and Non-Self-Governing Territories. (The previous Yearbook was limited to the reproduction of basic laws in such territories.) Part III contains agreements concluded under the auspices of specialized agencies, and other multilateral treaties and agreements, including the Rome Convention for the protection of human rights and fundamental freedoms, as well as bilateral treaties. Part IV records the activities of the United Nations in the field of human rights. For the first time, summaries of judgments and advisory opinions of the International Court of Justice were published in the Yearbook.

The Commission on Human Rights did not have time, during its eighth session, to consider the plan for the Yearbook on Human Rights prepared by the Secretary-General (E/CN.4/522).⁹³

5. Prevention of Discrimination and Protection of Minorities

a. CONSIDERATION BY THE COMMISSION ON HUMAN RIGHTS AT ITS EIGHTH SESSION

The Commission on Human Rights, at its eighth session, held from 14 April to 14 June 1952, had before it the report (E/CN.4/641 and Corr.1) of the fourth session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, held in October 1951.⁹⁴ The Sub-Commission had revised the definition of minorities and the draft resolution on interim measures to be taken for their protection. It had also recommended various provisions and amendments for the draft covenants on human rights.

The Sub-Commission also recommended that the Commission include in its agenda two items: (1) definition of and measures for the protection of political groups; and (2) redress of injuries suffered by groups through the total or partial destruction of their media of culture and their historical monuments.

The Sub-Commission also requested the Commission to recommend that the Council recon-

⁹² See Y.U.N., 1950, p. 533.

⁹³ See for this plan Y.U.N., 1951, p. 495.

⁹⁴ For a summary of the Sub-Commission's recommendations, see Y.U.N., 1951, pp. 496-97.

sider its decision to discontinue the Sub-Commission.

Owing to lack of time, the Commission on Human Rights did not consider the report of the Sub-Commission. However, it discussed a number of recommendations put forward by the Sub-Commission, especially those relating to the draft international covenants on human rights,⁹⁵ and included, inter alia, a general article on non-discrimination in both covenants. It also dealt with certain other matters in the field of prevention of discrimination and protection of minorities, that is the right of peoples and nations to self-determination, and communications.⁹⁶

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council considered the question at the 220th and 221st meetings of its Social Committee on 20 June and at its 620th and 621st plenary meetings on 26 June 1952. It had before it a report by the Secretary-General (E/2229), prepared in accordance with resolution 414 B.II (XIII),⁹⁷ on future work concerning the prevention of discrimination and the protection of minorities. The report summarized the results of an inquiry among Member States concerning:

(1) items relating to the prevention of discrimination and protection of minorities which should be placed on the agenda of forthcoming Council sessions; (2) procedures for the preliminary study of these items and for the preparation of reports to provide a basis for discussion by the Council; and (3) the lines along which the Council might be called upon to continue its task in this field. The Secretary-General, in the report, also reviewed the Sub-Commission's recommendations on future work and made supplementary suggestions.

The Council at its fourteenth session decided not to discuss the substance of the Secretary-General's report. The debate centred instead in procedural questions arising from the General Assembly's invitation (resolution 532 B (VI))⁹⁸ that the Council authorize the Sub-Commission to continue its work and especially to convene a session of the Sub-Commission in 1952, while also taking any practical steps that might be necessary for the continuance within the framework of the United Nations of the work on prevention of discrimination and protection of minorities.

Members of the Council were agreed that the problem of discrimination against minority groups was of the utmost importance, but differed with regard to the procedure to be followed in dealing with the problem. The Swedish representative

held that the Sub-Commission had not achieved practical results and he said he would have preferred a new approach emphasizing UNESCO's work. The majority, however, were of the opinion that the Sub-Commission should be revived, though differences arose as to whether it should hold its fifth session in 1952 or in 1953. Some representatives, among them those of Czechoslovakia, Egypt, Mexico, Poland and the USSR, considered the Assembly's invitation mandatory. Others, among them the representatives of Belgium, Canada, China, Pakistan, the United Kingdom and the United States, stressed that the Assembly had invited, not recommended, the Council to convene a 1952 session. They urged that the Sub-Commission should not be convened until after the Commission on Human Rights had discussed the report on the work so far accomplished and had set out new terms of reference.

A joint draft resolution (E/AC.7/L.120) to this effect was submitted by France and the United Kingdom and amendments to it were submitted by Sweden (E/AC.7/L.121) to stress the importance of UNESCO's work in this field and by the United States (E/AC.7/L.122) to clarify the text.

The joint draft resolution and the amendments to it were withdrawn following the adoption by the Social Committee of a draft resolution, submitted by Poland (E/AC.7/L.119) as amended by Mexico (E/AC.7/L.123) and, orally, by Argentina and Egypt.

The Mexican amendment, which was accepted by the representative of Poland, substituted for an enumeration of the forms of discrimination a request to the Sub-Commission to take up in 1952 its work at the point at which it had been suspended, with special emphasis on the prevention of discrimination of any kind. The amendments by Argentina and Egypt, which the Polish representative also accepted, indicated that the work undertaken should be within the terms of reference of the Sub-Commission and that it should report to the Commission on Human Rights on its future work.

After rejecting by 41 votes to 1, with 11 abstentions, an oral Egyptian proposal which would have the Sub-Commission also report on its terms of reference, the Social Committee adopted the Polish draft resolution, as amended, by 9 votes to 8, with 1 abstention, on 20 June. The operative

⁹⁵ See under this heading.

⁹⁶ See under those headings.

⁹⁷ See Y.U.N., 1951, pp. 62-63.

⁹⁸ See Y.U.N., 1951, pp. 65-66.

part of the draft resolution adopted by the Committee (E/2264) proposed that the Council authorize the Sub-Commission to continue its work and convene the fifth session in 1952, taking up its work where it had left off, with special emphasis on the prevention of discrimination of any kind within its terms of reference. The Commission on Human Rights, it proposed, should be invited to consider at its ninth session the reports of the fourth and fifth sessions of the Sub-Commission.

During the discussion in plenary session, the representatives of France and the United Kingdom presented a joint amendment (E/L.375) to substitute for the operative part of the draft resolution a request to the Commission on Human Rights to study as soon as possible, in the light of work already undertaken by the United Nations, the Sub-Commission's recommendations and the extent to which it had fulfilled its task and to make recommendations concerning the terms of reference and future work of the Sub-Commission in sufficient time for a further session of the Sub-Commission to be convened in 1953. The amendment would also invite UNESCO, as a matter of high priority, to continue its work on discrimination.

With the exception of the invitation referring to UNESCO, which was retained by Sweden, the joint amendment was withdrawn in favour of a compromise amendment by Sweden (E/L.377/Rev.1) authorizing the Sub-Commission to meet in 1952 but to devote its session to considering a future plan of work which might then be approved by the Commission on Human Rights.

On the suggestion of the representatives of Canada and Pakistan, the Swedish proposal was amended to make it clear that the Council intended that the Sub-Commission should continue its work. This point was further emphasized by the adoption, by a roll-call vote of 10 to 5, with 3 abstentions, of a Philippines proposal, as amended by Poland, to the effect that the Sub-Commission continue its work for the prevention of discrimination and the protection of minorities in accordance with General Assembly resolution 532 B (VI).⁹⁹

Voting was as follows:

In favour: Canada, Cuba, Czechoslovakia, Egypt, Iran, Mexico, Philippines, Poland, USSR, Uruguay.

Against: Belgium, France, Sweden, United Kingdom, United States.

Abstaining: Argentina, China, Pakistan.

The Swedish amendment, as amended, was adopted by 14 votes to none, with 4 abstentions,

and the amended draft resolution, as a whole, was adopted by 16 votes to none, with 2 abstentions, at the Council's 621st plenary meeting on 26 June.

The resolution (443 (XIV)) read:

"The Economic and Social Council,

"Noting that at its sixth session the General Assembly, in its resolution 532 B (VI), invited the Council:

"(a) To authorize the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities to continue its work so that it may fulfil its mission, and especially to convene a session in 1952,

"(b) To take any practical steps that may be necessary for the continuance within the framework of the United Nations of the work on prevention of discrimination and protection of minorities.

"1. Decides to convene a session of the Sub-Commission in 1952;

"2. Requests the Sub-Commission to continue its work for the prevention of discrimination and the protection of minorities in accordance with General Assembly resolution 532 B (VI) and, in the light of a descriptive list presented by the Secretary-General of the various research projects and action programmes on discrimination and minority problems already initiated or being planned by various United Nations organs and bodies and specialized agencies, to prepare, during its fifth session in 1952, for submission to the Commission on Human Rights, a report on future work in the field of the prevention of discrimination and the protection of minorities;

"3. Invites the Commission on Human Rights at its ninth session to consider the reports of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities on its fourth and fifth sessions and to report to the Council; and

"4. Invites the United Nations Educational, Scientific and Cultural Organization, as a matter of high priority, to continue its studies and work on educational methods and projects best designed to overcome prejudice and discriminatory attitudes and measures, and to report thereon to the Council in 1953."

c. REPORT OF THE FIFTH SESSION OF THE SUB-COMMISSION

The Sub-Commission on Prevention of Discrimination and Protection of Minorities held its fifth session in New York from 22 September to 10 October 1952 (E/CN.4/670). Its recommendations concerned the prevention of discrimination, the protection of minorities, the relevant work of UNESCO, technical assistance, and publications. It also drew up a programme of work for approval by the Commission on Human Rights.

(1) Prevention of Discrimination

The Sub-Commission recommended that the Secretary-General arrange for the collection of all

⁹⁹ Proposed by Poland and accepted by the Philippines.

anti-discrimination provisions formulated by the League of Nations or by the United Nations. This information, it considered, should be kept up to date and made available to serve as a body of suitable precedents for use in elaborating constitutional or statutory provisions, particularly in the case of new States.

It recommended that the Council appeal to non-governmental organizations for co-ordinated efforts to eradicate prejudice and discrimination and asked the Secretary-General to consult these organizations and the specialized agencies concerned on the advisability of holding periodic conferences to exchange views and co-ordinate work in this field.

The Sub-Commission suggested that UNESCO, on the basis of a thorough study of views contributing to discrimination against certain religious groups, to inter-religious hostility and to tensions in general, should prepare a series of suggestions explaining and clarifying the misrepresentations, misinterpretations and misunderstandings of any religion by the adherents of any other religion.

It proposed that Member States be recommended to review their national legislation and administrative practices with a view to abolishing all discrimination and to taking effective measures for the protection of minorities.

The Commission on Human Rights was asked to approve the Sub-Commission's proposal to study, among other measures to combat discrimination, those in the fields of education, employment and occupation, political rights, religious rights and practices, residence and movement, immigration and travel, the enjoyment of family rights and the right to choose a spouse. The Sub-Commission decided to begin the study of discrimination in education immediately and appointed a special rapporteur to draw up a provisional plan of work.

(2) Protection of Minorities

Emphasizing that an approved definition of minorities was required if further work were to be undertaken for their protection, the Sub-Commission asked that the Commission on Human Rights record its precise views on the definition submitted by the Sub-Commission at its fourth session. It called to the Commission's attention, in particular, the importance of the use of minority languages in courts and schools.

The Sub-Commission proposed that the Council should recommend that special attention be given to the protection of minorities in the preparation of international treaties, decisions of interna-

tional organs, or other acts establishing new States or new boundary lines between States. To provide a body of precedents for use in drafting minorities clauses in such instruments, it recommended that the Secretary-General arrange for a complete up-to-date collection of provisions for the protection of minorities.

As regards its work programme, the Sub-Commission asked that the Commission on Human Rights approve its study, at its sixth session, of the variety and scope of measures for the protection of all minority rights through legislative measures, judicial decisions and administrative practices.

(3) Other Recommendations

UNESCO, the Sub-Commission recommended, should be invited to prepare a special report each year, reviewing the activities undertaken to eradicate prejudice and discrimination and to protect minorities.

It proposed that the Council recommend that organizations participating in technical assistance programmes consider sympathetically the requests of governments for technical assistance to eradicate prejudice or discrimination or to protect minorities, and that the Secretary-General be authorized to render expert technical advice and other services to Member States, at their request, in this field. Such services, it decided, should include, but need not be restricted to, technical expert advice on drafting legislation and in establishing administrative and judicial machinery and should also extend to educational programmes designed to combat prejudice and discrimination.

The Sub-Commission further requested the Secretary-General to produce a popular booklet on its work and to publish a pamphlet on the work of the United Nations regarding prevention of discrimination and protection of minorities. He was also asked to publish, for the general public, a printed booklet containing an up-to-date analysis of information supplied by Members and non-members of the United Nations concerning (1) legislation and judicial decisions and other types of action which they had found useful in the prevention of discrimination and (2) legislative measures they had taken to protect minorities within their jurisdiction.

6. Trade Union Rights

At its fourteenth session the Economic and Social Council had before it several communications (E/2154 and Add.1 to 48) alleging that

trade union rights were being infringed in various countries. They were submitted in accordance with resolution 277(X)¹⁰⁰ by which the Council had requested the Secretary-General to bring any allegations received from governments or trade union or employers' organizations to its attention. The Council also had before it a note (E/2222) submitted by the Secretary-General on pending allegations regarding infringements of trade union rights under Council resolution 351 (XII).¹⁰¹

In this note, the Secretary-General stated that he had no further information to add to the report he had made to the Council at its thirteenth session apart from the observations of the Government of Japan (E/2175/Add.1 and Add.1/Corr.1) and his report (E/2202) on the applicability of resolution 277(X) to allegations regarding infringements in Japan. In addition to the observations of the Government of Japan, the Council had before it replies of the Government of Bolivia (E/2175 and Corr.1 and Add.2).

At the 571st plenary meeting of the Council, during the discussion of the provisional agenda, the representative of the United States made the following proposals:

(1) That in accordance with rule 15(a)¹⁰² of the Council's rules of procedure and in keeping with Council resolution 277(X), all new allegations regarding infringements of trade union rights which related to States that were members of the ILO should be transmitted to that body for consideration.

(2) That allegations concerning States that were not members of ILO should be discussed by the Council at the appropriate time, preferably after the discussion of the report of ILO.

(3) That the Secretary-General's note (E/2222) should be included in documentation for the discussion of the item on allegations regarding infringements of trade union rights at the Council's current session.

The United States proposals were opposed by the representatives of Czechoslovakia, Poland and the USSR who stated that these proposals were designed to shelve the question of infringements of trade union rights which the Council, under the Charter, was bound to consider. They held that the aim of the proposals was to avoid discussion of several complaints against the United States of infringements. The membership and political trends in ILO were such that the questions would never be decided by that body, these representatives maintained.

The representative of the United States replied that rule 15(a) of the rules of procedure provided that the specialized agency, in this case ILO, would report to the Council on its work. That meant that the Council would review the agency's findings. The proposal aimed only at

putting into effect the Council's rules of procedure.

The first United States proposal was adopted by 14 votes to 3, the second by 14 votes to none, with 4 abstentions, and the third by 14 votes to none, with 2 abstentions. As a result of these decisions, the replies of Japan and Bolivia, both members of ILO, were referred to that organization.

At its 648th and 649th plenary meetings on 17 and 18 July, the Council considered the sections of the sixth report of ILO (E/2240) dealing with the Fact-Finding and Conciliation Commission on Freedom of Association and with the Committee on Freedom of Association. The Commission had been established by ILO on its own behalf and on behalf of the United Nations to deal with allegations of infringements of trade union rights. The Committee on Freedom of Association¹⁰³ had been established by the Governing Body of the International Labour Office for preliminary examinations of the allegations and their reference to the Commission. The section of the report dealing with the Commission outlined the procedure followed by the Commission under which allegations of infringements are first examined by the Committee on Freedom of Association.

During the debate in the Council, the representative of the World Federation of Trade Unions contended that the transfer of complaints to ILO without prior discussion in the Council was an abdication of the Council's responsibility and stated that all future allegations addressed to the Council should be placed on its agenda at each session. She stated that all complaints submitted to the eleventh, twelfth and thirteenth sessions of the Council had been rejected at the preliminary stage of examination after receipt by ILO of statements from the governments concerned, and maintained that ILO was in reality working in the interests of governments rather than of the workers. This point of view was also expressed by the representatives of Czechoslovakia, Poland and the USSR.

Other representatives, including those of Belgium, Canada, France and Sweden, and the United States considered that the procedure devised by ILO had proved reliable. It provided, said the

¹⁰⁰ See Y.U.N., 1950, pp.539-40.

¹⁰¹ See Y.U.N., 1951, pp. 499-500.

¹⁰² Rule 15(a) provides that the Council may refer items without preliminary debate to a specialized agency with the proviso that the agency report at a subsequent session of the Council.

¹⁰³ See under International Labour Organisation.

United States representative, for careful examination of allegations; cases were studied impartially and, when the information provided was incomplete, every effort was made to obtain more detailed and accurate data. Appreciation was expressed of the valuable work which the Committee of the Governing Body and the Commission had done within a short time.

The Council, at its 649th meeting on 18 July, rejected, by 15 votes to 3, a Polish draft resolution (E/L/420) which proposed that it decide to place all allegations regarding infringement of trade union freedom addressed to it on its agenda at each session.

At the same meeting, it also rejected, by 12 votes to 3, with 3 abstentions, a draft resolution (E/L.393/Rev.1) by Czechoslovakia which would request the President of the Council to approach the Spanish authorities with a view to invalidating the sentences of 27 convicted Spanish trade unionists and/or obtaining their acquittal and release.

At its 649th meeting the Council also considered the alleged failure of Romania, Spain and the USSR, to reply to communications addressed to them under Council resolution 351 (XII)¹⁰⁴ regarding infringements of trade union rights, and the question of infringements of trade union rights in Spain, Trieste and the Saar.

The representatives of Canada and the United States submitted a draft resolution (E/L.422) under which the Governments of Romania, Spain and the USSR would again be invited to reply to the communications and the attention of the governments concerned would be called to the alleged infringements in the Saar, Spain and Trieste.

The representative of the USSR opposed the joint draft resolution, stating that, without adducing any proof, it sought to discredit the Soviet trade unions. While freedom of association was guaranteed by the Soviet Constitution, he said, no similar provision existed in the United States Constitution and he spoke of the "semi-fascist reactionary Taft-Hartley Act" which, he said, regulated labour and management relations in the United States.

The representative of the United States said that in view of the glowing accounts of the trade union situation in the USSR given by its representative, it was surprising that the USSR was not willing to submit documents to the Fact-Finding Commission which would confirm those accounts. It appeared to him that the USSR was afraid of an impartial and careful analysis of trade union rights in the Soviet Union.

The joint draft resolution was voted on in paragraphs, which were all adopted by votes ranging from 11 to 4, with 3 abstentions, to 13 to 4, with 1 abstention. The draft resolution was adopted as a whole by 11 votes to 4, with 3 abstentions, as resolution 444(XIV). It read:

"The Economic and Social Council,

"Having noted that no replies have been received to the communications sent, pursuant to Council resolutions 277 (X) and 351(XII), to the Governments of Romania, Spain and the Union of Soviet Socialist Republics, regarding allegations of infringements of trade-union rights in those countries (E/1882, section I, E/1882/Add.1 and E/1882, section IV, respectively), and

"Having taken note of the allegations regarding infringements of trade-union rights transmitted by the Secretary-General contained in documents E/2154/Add. 18, 20, 21, 30, 34, 41, 43 and 48,

"1. Requests the Secretary-General again to invite the Governments of Romania, Spain and the Union of Soviet Socialist Republics to reply to the requests previously addressed to them under resolution 351 (XII);

"2. Requests the Secretary-General, in consequence of the communications received from the Norwegian Trade Union Federation (E/2154/Add.18), representatives of trade unions of the state of Nuevo Leon, Mexico (E/2154/Add.21), the Confederade dos Trabalhadores do Brasil (E/2154/Add.30, second paragraph), the World Federation of Trade Unions (E/2154/Add.34 and 41) and the Union internationale des Syndicats des travailleurs du bâtiment, du bois et des matériaux de construction (E/2154/Add.48), to bring to the attention of the Government of Spain the allegations regarding infringements of trade-union rights in Spain, as well as the provisions of resolution 277 (X) under which allegations regarding infringements of trade-union rights may be referred for examination to the Fact-Finding and Conciliation Commission on Freedom of Association, and to invite that Government to submit its observations on the matter;

"3. Requests the Secretary-General, in consequence of the communication from the Trade Unions International of Land and Air Transport Workers (E/2154/Add.20) to bring to the attention of the Allied Military Government of Trieste the allegations regarding infringement of trade-union rights in Trieste, as well as the provisions of resolution 277(X), under which allegations regarding infringement of trade-union rights may be referred for examination to the Fact-Finding and Conciliation Commission on Freedom of Association, and to invite that government to submit its observations on the matter; and

"4. Requests the Secretary-General, in consequence of the communications from the Unity Trade Union Workers, Employees and Officials of the Saar (E/2154/Add.43) to bring to the attention of the competent authorities of the Saar, through the appropriate channels, the allegations regarding infringement of trade-union rights in the Saar, as well as the provisions of resolution 277 (X), under which allegations regarding infringement of trade-union rights may be referred

¹⁰⁴ See Y.U.N., 1951, pp. 499-500.

for examination to the Fact-Finding and Conciliation Commissions on Freedom of Association, and to invite those authorities to submit their observations on the matter."

7. Forced Labour

The Ad Hoc Committee on Forced Labour,¹⁰⁵ appointed by the Secretary-General and the Director-General of ILO in accordance with the Economic and Social Council's resolution 350 (XII), held its second and third sessions, respectively, from 2 June to 1 July and from 14 October to 22 November 1952.

The Committee devoted its second session to the study of the documentation submitted to it, and to hearing representatives of non-governmental organizations and other witnesses invited by the Committee. It also had before it replies from 42 governments to a questionnaire (E/2153) circulated by the Committee to all governments concerning (1) punitive, educational or corrective labour; and (2) other cases of compulsion to work.

The Committee also examined documents transmitted at its first session by the Governments of France, the United Kingdom and the United States (E/AC.36/4), and supplementary information transmitted by the United States Government (E/AC36/4/Add.1). It further studied documentation relating to over 50 countries and territories assembled by the Secretariat as requested, on the basis of the allegations made in Council debates as well as a number of communications relating to forced labour which had been received by the United Nations or ILO.

Memoranda from various non-governmental organizations and individuals were received by the Committee. These contained requests to be heard or to submit documentary evidence in accordance with the procedure laid down by the Committee. The Committee heard nine non-governmental organizations and a number of private individuals and invited several non-governmental organizations and private individuals to submit documentary evidence referred to in their memoranda.

The Committee decided to renew the Chairman's authority to arrange for the appointment and to define the duties of regional consultants to collect information and relevant documentary evidence, such as laws and regulations on the existence of systems of forced labour. It discussed the possibility of informing governments of the specific allegations made and the evidence sub-

mitted, and of dispatching communications to that effect after its third session for comment by the governments concerned. It decided to postpone until its third session further consideration of the question of on-the-spot inquiries. Finally, it gave specific instructions concerning the Secretariat's programme of work.

On 1 July 1952, the Committee adopted its second progress report (E/2276) to the Economic and Social Council and to the Governing Body of the International Labour Office.

At its third session the Committee heard the representatives of several other non-governmental organizations as well as two private individuals. The main task of the Committee at this session was, however, to prepare a summary of allegations of forced labour and of the material available to the Committee for transmittal to the governments concerned. Documents containing these summaries were prepared by the members of the Committee in a series of informal discussions covering the major part of the session.

The Committee emphasized that at the current stage of its work it had come to no conclusions, either on the relevancy of the allegations or on the value as evidence of the information and documentary material summarized in these documents, and that the documents were being communicated confidentially only to the governments concerned for comment.

Other business discussed by the Committee at its third session included a request to the Chairman to prepare a draft for the Committee's final report after considering the allegations, documentary materials and replies of governments and the assignment of further work to the Secretariat.

This included work in connexion with the implementation of the Committee's decisions and the preparation of its fourth session, summarizing replies to the questionnaire received from governments after the third session together with research concerning legal and other texts quoted in these replies, and assistance in the drafting of the Committee's report. On 22 November 1952 the Committee adopted its third progress report (E/2341) to the Economic and Social Council and to the Governing Body of the International Labour Office.

The question of forced labour was not considered by the Economic and Social Council during 1952.

¹⁰⁵ See Y.U.N., 1951, pp. 501-502.

8. Plight of Survivors of Nazi Concentration Camps

The Secretary-General presented to the Council, at its fourteenth session, a third progress report (E/2259) on the plight of survivors of so-called scientific experiments in Nazi concentration camps. It stated that in accordance with resolution 386(XIII)¹⁰⁶ of the Economic and Social Council, the Secretary-General had transmitted to the Government of the Federal Republic of Germany the information in his possession concerning the number and nature of the various cases. As of 20 June 1952, information had been transmitted on 225 cases.

On 29 February 1952, the report said, the Secretary-General, after consultation with the Director-General of the World Health Organization, had made certain suggestions to the Government of the Federal German Republic concerning the investigation and certification of requests for indemnification.

On 23 April the Federal Government had sent a note which stated that, up to 1 April 1952, a total of 521 applications had been received from persons claiming welfare benefits under the decision of the Cabinet of 26 July 1951. Of these, 268 had originated abroad and 253 in Germany itself. The Federal Government, it was stated, noted with satisfaction the active support given to it by the United Nations, the specialized agencies, governments and private groups concerned in collecting and sifting individual cases. The note stated that the Federal Government welcomed the suggestions made to it by the Secretary-General on 29 February concerning the assistance of experts in clarifying cases which were open to dispute, and that it might wish to refer to these suggestions again. The note said further that, although all applications were in the course of being dealt with, it had not been possible to avoid some delay in the necessary examination of cases. However, the first decisions on the granting of welfare benefits were to be made soon. In those cases where a claim was recognized as justified, the payments were to be made without delay since sufficient funds had already been made available for the purpose.

Regarding the administration of allocations from the Paris Reparation Fund,¹⁰⁷ the Secretary-General's report said that the total available for allocation amounted to \$125,000. This amount was channelled through two voluntary agencies participating in the administration of the Reparation Fund as follows:

(1) National Catholic Welfare Conference (for Polish and non-German and non-Austrian victims of non-Jewish religion).

(2) International Rescue Committee, Inc. (for Austrian and German victims of non-Jewish religion).

These two organizations, the report said, had been left free to work out the most suitable arrangements, the only stipulation being that quarterly financial returns and periodic audited statements of accounts were to be rendered, and that the names and addresses of victims, together with the amount of assistance granted to each, were to be furnished to the Reparations Office of the Committee for the Movement of Migrants. The agencies had been requested to take all possible action to facilitate the earliest distribution of funds to needy victims.

The National Catholic Welfare Conference had dealt with approximately 100 cases in thirteen different countries. The procedure set up had been for "field committees" to make an official evaluation of each applicant's claim that he was the subject of experiments, taking into account certain specified factors as corroborating evidence. Field committees were authorized to make an immediate payment of a lump sum as soon as eligibility was established, after which each case history was submitted to the headquarters of the National Catholic Welfare Conference in order to decide whether additional payments should be made in the light of the claimant's current physical condition or family needs.

The International Rescue Committee, it was stated, had handled approximately 30 cases. Early payments were made in fifteen cases whose authenticity had been established. In other urgent pending cases, advance relief was granted.

The Provisional Inter-Governmental Committee for the Movement of Migrants from Europe, which had taken over certain operations of The International Refugee Organization after the cessation of the activities of that organization, had informed the Secretary-General that there was some hope that additional payments into the Reparation Fund might permit further grants to be made to victims. The report concluded by stating that the Secretary-General had maintained contact with the National Catholic Welfare Council and the International Rescue Committee.

As requested by the Council's resolution 386 (XIII), the Secretary-General continued to collect

¹⁰⁶ See Y.U.N., 1951, p. 507.

¹⁰⁷ The fund was established by the Paris Conference on Reparations, December 1945.

material on individual cases and, since June 1952, transmitted to the Federal Government information concerning an additional 243 cases. Altogether, as of 31 December 1952, the Secretary-General had transmitted 468 claims to the Federal Government.

Supplementing its communication of 23 April, the Federal Government, on 10 July 1952, informed the Secretary-General of the measures taken by it to compensate victims up to that date. It stated that on 6 May 1952, the first meeting of an inter-ministerial committee took place entrusted with the examination of application for welfare measures by virtue of the Federal Government's decision of 26 July 1951. In the view of the committee, all persons, who were proved to have been victims of so-called scientific experiments in Nazi concentration camps and who had not yet received any other compensation, had a claim, in principle, to welfare benefits. The Committee decided to dispatch a commission of government delegates to the Netherlands and Belgium to expedite work by a preliminary examination on the spot. Applicants domiciled abroad, the note stated, would be informed by the Commission through the diplomatic representatives of the Federal Republic. The payment of welfare benefits would also be effected by the diplomatic representatives, and would be made in the currency of the country in which the applicant had permanent residence.

The Secretary-General addressed a note to the Federal Government seeking information on the situation as of 1 September 1952 regarding measures for compensating survivors, including particulars regarding each claim for compensation. In reply, the Federal Government stated that as of that date, payments amounting in all to 351,673.20 Deutsche marks had been made to 108 applicants, while 48 claims had been rejected. The 108 successful claimants had received sums ranging from 25,000 DM for sulfonamide experiments to 2,000 DM, or less, for sterilization.

The 108 cases were divided as follows: sterilization—87; malaria—nine; injections—two; hormone transplantation—one; typhus—two; low temperature—one; serum—one; X-rays—two; sulfonamide—one; phlegmon—two.

The 48 rejections were made on the following grounds: in 27 cases, the applicants were not victims of so-called scientific experiments; in fifteen cases, the applicants were not in need of assistance; in four cases, the applicants had received compensation previously; and in two

cases, the applicants did not suffer impairment of health.

A number of claimants, in letters addressed to the Secretariat, paid tribute to the efforts which the United Nations had made on their behalf. On the other hand, a large number of claimants complained of the inadequacy of the compensation they had received, of the rejection of their claims, of the method of investigation employed by representatives of the Federal Authorities, and of delay on the part of the Federal Government in reaching a decision in their case. The Secretary-General transmitted the substance of a number of such communications to the Federal Government.

9. Prisoners of War

The Ad Hoc Commission on Prisoners of War¹⁰⁸ was established (427(V)) by the General Assembly in 1950 to seek a settlement of the question of prisoners taken in the Second World War and not yet repatriated or otherwise accounted for.

The Commission held its first session in New York from 30 July to 15 August 1951,¹⁰⁹ and its second and third sessions from 22 January to 9 February and from 26 August to 13 September 1952 respectively, in Geneva. In view of the special character of the work entrusted to it, the majority of meetings were held in private.

In order to establish direct consultations with the governments most concerned in the problem of prisoners of war, the Commission invited the Governments of Australia, Belgium, France, the Federal Republic of Germany, Italy, Japan, Luxembourg, the Netherlands, the USSR, the United Kingdom and the United States to name representatives to attend its second session. With the exception of the USSR, all those invited named representatives. In addition, Denmark named an observer.

On the basis of information provided by these representatives and of information previously submitted, the Commission (A/AC.46/8) took the following steps, among others, to carry out its task. The Commission noted that the information relating to former prisoners of war sentenced for war crimes, or being held for such crimes, was incomplete and decided to ask all governments detaining persons charged with war crimes, or under sentence for such crimes, for detailed in-

¹⁰⁸ For members, see p. 32.

¹⁰⁹ See Y.U.N., 1951, p. 508.

formation concerning the judicial procedure under which such persons had been tried and sentenced and their present status. It also decided to address a further letter to the USSR, requesting information on prisoners of war who had died while in the custody of that country. The Commission recognized that, owing to war devastation, certain available records and archives might have been destroyed and therefore asked the USSR to furnish the Commission with a list, as complete as possible, of such deceased persons and, at least, a list of those who had died since 1947.

On the basis of its examination and evaluation of other information transmitted to it, the Commission decided to ask certain governments for supplementary information. It also took action on certain specific requests from governments which called for immediate decision.

The Commission reported that, in view of the detailed information furnished by the Governments of the Federal Republic of Germany and of Japan, and taking into account the strictly objective and impartial method it had followed from the outset, it had decided not to accept the invitations from those Governments to visit their countries to examine the original records containing data about prisoners of war who were as yet unrepatriated or unaccounted for.

Before its third session the Commission once more decided that its task would be greatly assisted if certain governments most concerned named representatives to meet with it, specifically the Governments of the Federal Republic of Germany, Italy, Japan and the USSR. With the exception of the USSR, the Governments invited named their representatives who met with the Commission and were available for consultation. In addition, the Commission let it be known to other governments which had on previous occasions provided the Commission with valuable information that they were welcome to name representatives or observers. The following named representatives: Australia, Belgium, France, Luxembourg, the Netherlands, the United Kingdom and the United States. In addition Brazil expressed its interest in the Commission's work and named a representative and Denmark named an observer.

At its third session (A/AC.46/11) the Commission continued the examination and evaluation of information before it and held consultations with representatives of a number of governments. In response to requests made at the second session, the Federal Republic of Germany, Italy and

Japan had also supplied additional information about unrepatriated war prisoners.

The Commission requested a number of governments to furnish additional information and addressed an inquiry to the Government of the People's Republic of China concerning Japanese prisoners of war who might still be under the control of that Government or who might have died while in its custody. The Commission decided that it would hold its fourth session in New York in May 1953, when it would prepare its final report.

Meanwhile, on September 12, the Commission transmitted a special report (A/AC.46/10) to the Secretary-General, informing him that it had been unable to secure the co-operation of the USSR. Therefore the Commission had regretfully come to the conclusion that it was unable to perform the basic task for which it had been set up, namely to settle "the question of the prisoners of war in a purely humanitarian spirit and on terms acceptable to all Governments concerned." It recalled that the Government of the USSR had not responded, as had other governments concerned, to the Commission's invitation to name a representative to meet with it at its session. The USSR Government had not replied to the Commission's letter of 9 February 1952 requesting information concerning prisoners of war who had died while in its custody. It had made no reply to the Commission's request contained in letters dated 18 April 1952 and 31 July 1952 for information concerning prisoners of war detained on charges of war crimes. The Commission stated that it considered it to be its duty to inform the Secretary-General that this obstacle was paralysing its work and increasing the difficulty of verifying the large amount of information furnished by other governments directly concerned in the repatriation of prisoners who have not yet returned to their homes.

The Commission asked that the Secretary-General circulate the special report to United Nations Members prior to the Assembly's seventh session.

The Commission intended to prepare at its next session the final report on the results of its work together with such conclusions as might be drawn from the documentation in its possession. It expressed the hope that a fresh appeal for international co-operation among the Members of the United Nations and to their spirit of humanity might have the effect of giving a more promising direction to the work that it had so far carried on, with only limited success.

L. FREEDOM OF INFORMATION

During 1952, the question of freedom of information was considered by: (1) the Sub-Commission on Freedom of Information and of the Press, at its fifth session, held from 3 to 21 March; (2) the Economic and Social Council, at its fourteenth session, at the 214th to 220th meetings of its Social Committee, from 4 to 10 June and at its 602nd to 604th plenary meetings, on 12 and 13 June; and (3) the General Assembly, at its seventh session, at the 421st to 442nd meetings of its Third Committee, from 22 October to 11 November and at its 403rd plenary meeting on 16 December.

In these organs, a number of interrelated aspects of the question of freedom of information were the subject of consideration, including:

(1) the work of the Sub-Commission on Freedom of Information and of the Press; (2) conventions on freedom of information and on the international right of correction; (3) the draft international code of ethics; (4) the establishment of an international institute of press and information; (5) information facilities in under-developed regions of the world; (6) dissemination of resolutions of the United Nations; (7) the question of false or distorted information; (8) freedom of information as a means of promoting friendly relations among nations; (9) the closing down of the newspaper *La Prensa*; and (10) the future work of the United Nations in the field of freedom of information. The discussions and decisions of the various United Nations organs are dealt with below under these headings.

1. Sub-Commission on Freedom of Information and of the Press

By resolution 414 B.I. (XIII),¹¹⁰ adopted on 18 September 1951, the Economic and Social Council decided that the Sub-Commission on Freedom of Information and of the Press should hold a final meeting to complete its work on the draft international code of ethics for information personnel.

In accordance with the Council's resolution, the Sub-Commission held its fifth session consisting of 26 meetings from 3 to 21 March 1952, and reported (E/2190) to the Council at its fourteenth session, held from 20 May to 1 August 1952.

The report of the Sub-Commission contained a number of specific recommendations of which an account is given below.

The report was considered by the Council's Social Committee at its 214th to 220th meetings, from 4 to 10 June and at the 602nd to

604th plenary meetings of the Council, on 12 and 13 June 1952.

In the general discussion in the Social Committee and in the Council the representatives of Czechoslovakia, Poland and the USSR stated that in its work the Sub-Commission had concerned itself with matters outside its competence; instead of endeavouring to make freedom of information serve the campaign for peace and the development of friendship between nations, it had preferred to condemn certain governments. The representatives of Iran and Pakistan, on the other hand, congratulated the Sub-Commission on its work.

The Committee, at its 220th meeting on 10 June, by 13 votes to 3 and, on its recommendation (E/2251), the Council, at its 604th plenary meeting on 13 June, by 12 votes to 3, adopted a resolution (442 A (XIV)) formally taking note of the report of the Sub-Commission.

That part of the report of the Economic and Social Council (A/2172) dealing with the question of freedom of information came before the General Assembly at its seventh session, and was discussed by the Assembly's Third Committee during its consideration of the agenda item "Freedom of Information" at its 421st to 442nd meetings, from 22 October to 11 November

Views similar to those expressed in the Council were put forward.

Chile, the Dominican Republic, Honduras, Indonesia, Iraq, Mexico, Pakistan and Saudi Arabia submitted a joint draft resolution (A/C.3/L.262) concerning the Sub-Commission. Under this joint draft the General Assembly would refer to the constructive work done by the Sub-Commission during its five sessions and to the fact that the Assembly had not hitherto had an opportunity to declare an opinion on that work. The Assembly, further, would express appreciation of what the Sub-Commission had accomplished, requesting the Secretary-General to convey its thanks for the service rendered by the Sub-Commission.

After the sponsors had accepted two oral drafting amendments, the joint draft resolution was approved, at the 440th meeting of the Third Committee on 7 November, by 41 votes to 5, with 6 abstentions. The draft resolution recommended by the Committee (A/2294) was adopted by the Assembly at its 403rd plenary meeting on 16 December, without discussion, by 50 votes

¹¹⁰ See Y.U.N., 1951, p. 513.

to 5, with 1 abstention as resolution 632 (VII). It read:

"The General Assembly,

"Considering the constructive work done by the Sub-Commission on Freedom of Information and of the Press during its five sessions,

"Considering that it has not hitherto had an opportunity to express an opinion on the work of the Sub-Commission,

"1. Decides to express its appreciation for the work which the Sub-Commission on Freedom of Information and of the Press has accomplished;

"2. Requests the Secretary-General to convey its thanks for the service which the Sub-Commission has honourably rendered in discharging its duties."

2. Conventions on Freedom of Information and the International Right of Correction

The General Assembly, at the second part of its third session, approved (resolution 277 C (III)) a draft Convention on the International Transmission of News and the Right of Correction,¹¹¹ which consisted of the amalgamation, with certain revisions, of two draft conventions, one on the gathering and international transmission of news and the other on the institutions of an international right of correction, adopted by the United Nations Conference on Freedom of Information, held in Geneva from 23 March to 21 April 1948. The Assembly at the same time, in resolution 277 A (III), decided not to open this draft convention for signature until it had taken definite action on the third draft convention adopted by the Conference, a general draft Convention on Freedom of Information.

At its fifth session, the Sub-Commission on Freedom of Information and of the Press recommended (E/2190) that the Economic and Social Council appeal to the General Assembly to open for signature at its seventh session the Conventions on Freedom of Information and on the International Transmission of News and the Right of Correction.

During the general discussion on freedom of information at the Council's fourteenth session at the 214th to 216th meetings of the Social Committee, from 4 to 6 June, the representative of France, supported by the representative of Egypt, drew attention to the fact that, of three draft conventions with which the Council had been concerned, not one had up to that time been opened for signature.

The recommendations of the Sub-Commission were considered by the Council's Social Committee at its 219th and 220th meetings on 9 and 10 June.

The Committee also considered an amendment by France (E/AC.7/L.114), which would substitute for the draft resolution recommended by the Sub-Commission, a resolution in which the Council would state that it was aware of the need effectively to counteract false and distorted news,¹¹² and would invite the Assembly to open for signature at its next session a convention on the international right of correction, consisting of the relevant articles contained in the Convention on the International Transmission of News and the Right of Correction approved in resolution 277 C (III).

The representatives of Canada, China, the Philippines, Sweden, the USSR, the United Kingdom and the United States opposed any dissociation of the three draft conventions. The representative of Mexico, while agreeing with this principle, stated that he would support the French proposal. The representative of Iran made the compromise suggestion that an article embracing the right of correction might be added to the text of the draft international code of ethics.¹¹³

That part of the French amendment which would have the Committee state its awareness of the need effectively to counteract false and distorted news was adopted by the Committee, by a roll-call vote of 7 to 4, with 7 abstentions. Also by roll-call vote, the Committee, by 8 votes to 4, with 6 abstentions, rejected the proposal concerning the opening for signature of the convention. The French amendment, as a whole, was rejected by roll-call vote of 8 to 7, with 3 abstentions, and the recommendation of the Sub-Commission on the same question, after being rejected in parts, by votes ranging from 4 to 2, with 12 abstentions to 9 to 1, with 7 abstentions was rejected as a whole by 9 votes to 4, with 4 abstentions.

The Committee, accordingly, made no recommendation in this connexion to the Council.

At the seventh session of the General Assembly, during the general debate in the 421st to 428th meetings of the Third Committee from 22 to 29 October, a number of different opinions were expressed concerning: (1) the draft general convention on freedom of information and (2) the draft convention containing provisions on the international right of correction.

With regard to the draft convention on freedom of information, the following were the main points of view expressed:

¹¹¹ See Y.U.N., 1948-49, pp. 564-67.

¹¹² See also pp. 471-72.

¹¹³ See pp. 465-66.

A number of representatives, among them those of Afghanistan, Bolivia, Brazil, Colombia, Ecuador, Egypt, India, Indonesia, Iraq, Israel, Lebanon, Pakistan and Saudi Arabia, pointed out that the draft convention on freedom of information had been under consideration in various organs of the United Nations, including the General Assembly, since 1948, and expressed the view that the Assembly was morally bound to take steps to ensure that the work of the Committee on the Draft Convention on Freedom of Information, which the General Assembly itself had set up at its fifth session, was not dissipated.

Other speakers, including the representatives of Belgium, Chile, China, Iran, Sweden, the United Kingdom and the United States, recalled the controversy which had always attended discussion of the draft convention especially in regard to article 2 (which lists permissible restrictions on freedom of information) and doubted that the prevailing political climate was propitious to further work on the draft.

A number of representatives, including those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, on the other had, contended that the draft convention would facilitate foreign intervention and hostile propaganda, since it lacked certain necessary precautionary measures, such as steps to ensure that freedom of speech and of the Press was not used for war propaganda and racial discrimination, to create enmity between peoples and to disseminate slanders.

Other representatives, including those of Australia, Brazil, China, Greece, the Netherlands, Turkey, the United Kingdom and the United States, maintained that the appointment by the Council of a rapporteur charged with the preparation of a substantive report on problems in the field and on ways and means of overcoming them represented a new approach by the United Nations, and considered that action on the draft convention should therefore be postponed until the Council had received and studied the rapporteur's report.

Afghanistan, Burma, Egypt, Haiti, Honduras, India, Indonesia, Iraq, Lebanon, Liberia, Pakistan, Saudi Arabia, Syria, Thailand, Yemen and Yugoslavia submitted a joint draft resolution (A/C.3/L.256) proposing that the Committee, considering that the procedures previously followed for the purpose of reaching agreement on the provisions of the draft convention on freedom of information had not been successful and having heard the statements made in the general debate

on the draft convention, should decide after the conclusion of the general debate to proceed to a detailed consideration of the draft convention with a view to reaching agreement on the contentious parts thereof.

Honduras submitted an amendment (A/C.3/L.257) proposing that a paragraph be added concerning the preparation of an annual report on freedom of information in each of the States Members of the United Nations. The amendment was later submitted to the Committee as a separate resolution (A/C.3/L.257/Rev.2) and an amendment by India (A/C.3/L.283), stipulating that the proposed report would be based on data which the Secretary-General might collect from various sources, was accepted by the representative of Honduras. At the 438th meeting on 6 November, however, the representative of Honduras withdrew his proposal.

The USSR submitted a number of amendments (A/C.3/L.254) to the draft convention on freedom of information as drafted by the Committee on the Draft Convention on Freedom of Information (A/AC.42/7, annex). The amendments related to the text of the preamble and articles 1, 2, 4, 5, 7 and 12 of the draft convention. The Committee decided at its 429th meeting, by 42 votes to none, with 12 abstentions, however, that action should first be taken on the sixteen-Power proposal (A/C.3/L.256). On a roll-call vote, the joint draft resolution (A/C.3/L.256) was not adopted, 23 votes being cast in favour and 23 against, with 8 abstentions. Voting was as follows:

In favour: Afghanistan, Burma, Ecuador, Egypt, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iraq, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Yemen, Yugoslavia.

Against: Australia, Belgium, Byelorussian SSR, Canada, China, Colombia, Cuba, Czechoslovakia, Denmark, El Salvador, France, Greece, Israel, Luxembourg, Netherlands, New Zealand, Norway, Poland, Sweden, Ukrainian SSR, Union of South Africa, USSR, United States.

Abstaining: Argentina, Brazil, Chile, Dominican Republic, Iran, Turkey, United Kingdom, Venezuela.

The representative of the USSR said he would not press for action on his proposed amendments (A/C.3/L.254) since he considered it preferable to defer them until the next session of the General Assembly.

The Assembly therefore took no decision at its seventh session on the general draft convention on freedom of information.

With regard to a draft convention on the international right of correction, some representatives, including those of Egypt, Guatemala and

Pakistan, said there was no danger that the draft convention, approved by the General Assembly in resolution 277 C (III), in its existing form might lead to restrictions on freedom of information.

Egypt, France, Lebanon, Uruguay and Yugoslavia submitted a joint draft resolution (A/C.3/L.252) which would urge all Members of the United Nations and the other States invited to the United Nations Conference on Freedom of Information to sign the text of a convention on the international right of correction, and by which the Assembly would decide that the convention should be opened for signature at the end of its seventh regular session. The text of the convention was given in an annex to the joint draft resolution (A/C.3/L.252/Add.1) reproducing the provisions relating to the right of correction contained in the preamble and articles of the Draft Convention on the International Transmission of News and the Right of Correction approved by the General Assembly in resolution 277(III) of 13 May 1949.

The representatives of Lebanon and Yugoslavia stated that article IX of the draft convention as presented in the annex to the joint draft resolution (A/C.3/L.252/Add.1)¹¹⁴ and dealing with the application of the convention in territories for the international relations of which a contracting State was responsible, had been rendered obsolete by General Assembly resolution 422(V), concerning the territorial application of the international covenant on human rights.

Egypt, France, Lebanon, Uruguay and Yugoslavia presented a revised text of their joint draft resolution (A/C.3/L.252/Rev.1) proposing that articles IX, X, paragraph 2¹¹⁵ and XIII (c)¹¹⁶ of the draft convention as presented in A/C.3/L.252/Add.1 should be deleted.

Lebanon and Yugoslavia introduced an amendment (A/C.3/L.264) to the joint draft resolution, the purpose of which was to replace article IX of the draft convention, corresponding to article XVIII of the Draft Convention on the International Transmission of News and the Right of Correction annexed to General Assembly resolution 277 C (III), by a new article IX. This new article, which conformed to the text given in General Assembly resolution 422(V), would state that the provisions of the Convention on the International Right of Correction extended to or were applicable equally to a signatory Metropolitan State and to all the territories, be they Non-Self-Governing Territories, Trust or Colonial Territories, administered or governed by such Metropolitan State.

The proposal of the representatives of Lebanon and Yugoslavia was adopted at the 432nd meeting on 1 November, by a roll-call vote of 32 to 7, with 15 abstentions.

The joint draft resolution (A/C.3/L.252/Rev.1) as thus amended was adopted by a roll-call vote of 25 to 19, with 10 abstentions.

The recommendation by the Third Committee (A/2294) was considered by the Assembly at its 403rd plenary meeting on 16 December. It also considered two drafting amendments presented jointly by Lebanon and Yugoslavia (A/L.131), which the sponsors described as purely formal changes, intended solely to bring the text into conformity with the intentions of the Assembly. Without discussion, the Assembly adopted the amendment in two parts, by 30 votes to 5, with 20 abstentions and by 29 votes to 5, with 22

¹¹⁴ This article (corresponding to article XVIII of the Draft Convention on the International Transmission of News and the Right of Correction annexed to General Assembly resolution 277 C (III) read as follows:

"1. Any State may, at the time of signature or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that the present Convention shall extend to all or any of the territories for the international relations of which it is responsible. This Convention shall extend to the territory or territories named in the notification as from the thirtieth day after the day of receipt by the Secretary-General of the United Nations of this notification.

"2. Each Contracting State undertakes to take as soon as possible the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

"3. The Secretary-General of the United Nations shall communicate the present Convention to the States referred to in article XV(1) for transmission to the responsible authorities of:

"(a) Any Non-Self-Governing Territory administered by them;

"(b) Any Trust Territory administered by them;

"(c) Any other non-metropolitan territory for the international relations of which they are responsible."

¹¹⁵ This paragraph (corresponding to paragraph 2 of article XIX of the Draft Convention on the International Transmission of News and the Right of Correction annexed to General Assembly resolution 277 C (III) read:

"2. Any Contracting State which has made a declaration under article XVIII (1) may at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory six months after the date of receipt of the notification by the Secretary-General."

¹¹⁶ This paragraph (corresponding to paragraph (d) of article XXII of the Draft Convention on the International Transmission of News and the Right of Correction annexed to General Assembly resolution 277 (III)) read:

("The Secretary-General of the United Nations shall notify the States referred to in article VI (1) of the following:)

"(c) Notifications received in accordance with article IX and article X (2);".

abstentions, respectively. It adopted the draft resolution, as amended, by 25 votes to 22, with 10 abstentions as resolution 630(VII). It read:

"The General Assembly,

"Considering that establishment of the right of correction on an international basis would help to curb the dissemination of false news and to strengthen peace,

"1. Urges all Members of the United Nations and the other States which were invited to the United Nations Conference on Freedom of Information to become parties to the Convention on the International Right of Correction, the text of which is annexed hereto and consists of the provisions relating to the right of correction contained in the preamble and articles of the draft Convention on the International Transmission of News and the Right of Correction approved by the General Assembly in resolution 277 C (III) of 13 May 1949 with the deletion of articles XVIII, XIX paragraph 2, and XXII paragraph (d), of the latter draft Convention and with the introduction as a new article (article IX), replacing the former article XVIII, of the following text: "The provisions of the present Convention shall extend to or be applicable equally to a contracting metropolitan State and to all the territories, be they Non-Self-Governing, Trust or Colonial Territories, which are being administered or governed by such metropolitan State.";

"2. Decides that the said Convention shall be opened for signature at the close of the present session of the General Assembly."

ANNEX

CONVENTION ON THE INTERNATIONAL RIGHT OF CORRECTION

PREAMBLE

The Contracting States,

Desiring to implement the right of their peoples to be fully and reliably informed,

Desiring to improve understanding between their peoples through the free flow of information and opinion,

Desiring thereby to protect mankind from the scourge of war, to prevent the recurrence of aggression from any source, and to combat all propaganda which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression,

Considering the danger to the maintenance of friendly relations between peoples and to the preservation of peace, arising from the publication of inaccurate reports,

Considering that at its second regular session the General Assembly of the United Nations recommended the adoption of measures designed to combat the dissemination of false or distorted reports likely to injure friendly relations between States,

Considering, however, that it is not at present practicable to institute, on the international level, a procedure for verifying the accuracy of a report which might lead to the imposition of penalties for the publication of false or distorted reports,

Considering, moreover, that to prevent the publication of reports of this nature or to reduce their pernicious effects, it is above all necessary to promote a wide circulation of news and to heighten the sense

of responsibility of those regularly engaged in the dissemination of news,

Considering that an effective means to these ends is to give States directly affected by a report, which they consider false or distorted and which is disseminated by an information agency, the possibility of securing commensurate publicity for their corrections,

Considering that the legislation of certain States does not provide for a right of correction of which foreign governments may avail themselves, and that it is therefore desirable to institute such a right on the international level, and

Having resolved to conclude a Convention for these purposes,

Have agreed as follows:

ARTICLE I

For the purpose of the present Convention:

1. "News dispatch" means news material transmitted in writing or by means of telecommunications, in the form customarily employed by information agencies in transmitting such news material, before publication, to newspapers, news periodicals and broadcasting organizations.

2. "Information agency" means a Press, broadcasting, film, television or facsimile organization, public or private, regularly engaged in the collection and dissemination of news material, created and organized under the laws and regulations of the Contracting State in which the central organization is domiciled and which, in each Contracting State where it operates, functions under the laws and regulations of that State.

3. "Correspondent" means a national of a Contracting State or an individual employed by an information agency of a Contracting State, who in either case is regularly engaged in the collection and the reporting of news material, and who when outside his State is identified as a correspondent by a valid passport or by a similar document internationally acceptable.

ARTICLE II

1. Recognizing that the professional responsibility of correspondents and information agencies requires them to report facts without discrimination and in their proper context and thereby to promote respect for human rights and fundamental freedoms, to further international understanding and co-operation and to contribute to the maintenance of international peace and security,

Considering also that, as a matter of professional ethics, all correspondents and information agencies should, in the case of news dispatches transmitted or published by them and which have been demonstrated to be false or distorted, follow the customary practice of transmitting through the same channels, or of publishing, corrections of such dispatches,

The Contracting States agree that in cases where a Contracting State contends that a news dispatch capable of injuring its relations with other States or its national prestige or dignity transmitted from one country to another by correspondents or information agencies of a Contracting or non-Contracting State and published or disseminated abroad is false or distorted, it may submit its version of the facts (hereinafter called "communiqué") to the Contracting States within whose territories such dispatch has been published or disseminated. A copy of the communiqué shall be for-

warded at the same time to the correspondent or information agency concerned to enable that correspondent or information agency to correct the news dispatch in question.

2. A communique may be issued only with respect to news dispatches and must be without comment or expression of opinion. It should not be longer than is necessary to correct the alleged inaccuracy or distortion and must be accompanied by a verbatim text of the dispatch as published or disseminated, and by evidence that the dispatch has been transmitted from abroad by a correspondent or an information agency.

ARTICLE III

1. With the least possible delay and in any case not later than five clear days from the date of receiving a communique transmitted in accordance with provisions of article II, a Contracting State, whatever be its opinion concerning the facts in question, shall:

(a) Release the communique to the correspondents and information agencies operating in its territory through the channels customarily used for the release of news concerning international affairs for publication; and

(b) Transmit the communique to the headquarters of the information agency whose correspondent was responsible for originating the dispatch in question, if such headquarters are within its territory.

2. In the event that a Contracting State does not discharge its obligation under this article with respect to the communique of another Contracting State, the latter may accord, on the basis of reciprocity, similar treatment to a communique thereafter submitted to it by the defaulting State.

ARTICLE IV

1. If any of the Contracting States to which a communique has been transmitted in accordance with article II fails to fulfil, within the prescribed time-limit, the obligations laid down in article III, the Contracting State exercising the right of correction may submit the said communique, together with a verbatim text of the dispatch as published or disseminated, to the Secretary-General of the United Nations and shall at the same time notify the State complained against that it is doing so. The latter State may, within five clear days after receiving such notice, submit its comments to the Secretary-General, which shall relate only to the allegation that it has not discharged its obligations under article III.

2. The Secretary-General shall in any event, within ten clear days after receiving the communique, give appropriate publicity through the information channels at his disposal to the communique, together with the dispatch and the comments, if any, submitted to him by the State complained against.

ARTICLE V

Any dispute between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall be referred to the International Court of Justice for decision unless the Contracting States agree to another mode of settlement.

ARTICLE VI

1. The present Convention shall be open for signature to all States Members of the United Nations, to

every State invited to the United Nations Conference on Freedom of Information held at Geneva in 1948, and to every other State which the General Assembly may, by resolution, declare to be eligible.

2. The present Convention shall be ratified by the States signatory hereto in conformity with their respective constitutional processes. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

ARTICLE VII

1. The present Convention shall be open for accession to the States referred to in article VI(1).

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

ARTICLE VIII

When any six of the States referred to in article VI (1) have deposited their instruments of ratification or accession, the present Convention shall come into force among them on the thirtieth day after the date of the deposit of the sixth instrument of ratification or accession. It shall come into force for each State which ratifies or accedes after that date on the thirtieth day after the deposit of its instrument of ratification or accession.

ARTICLE IX

The provisions of the present Convention shall extend to or be applicable equally to a contracting metropolitan State and to all the territories, be they Non-Self-Governing, Trust or Colonial Territories, which are being administered or governed by such metropolitan State.

ARTICLE X

Any Contracting State may denounce the present Convention by notification to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt of the notification by the Secretary-General.

ARTICLE XI

The present 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 XII

1. A request for the revision of the present Convention may be made at any time by any Contracting State by means of a notification to the Secretary-General of the United Nations.

2. The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

ARTICLE XIII

The Secretary-General of the United Nations shall notify the States referred to in article VI(1) of the following:

(a) Signatures, ratifications and accessions received in accordance with articles VI and VII;

(b) The date upon which the present Convention comes into force in accordance with article XIII;

(c) Denunciations received in accordance with article X (1);

- (d) Abrogation in accordance with article XI;
- (e) Notifications received in accordance with article XII.

ARTICLE XIV

1. The present 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 each State referred to in article VI (1).

3. The present Convention shall be registered with the Secretariat of the United Nations on the date of its coming into force.

3. Freedom of Information and of the Press: Draft International Code of Ethics

At its fifth session, the Sub-Commission on Freedom of Information and of the Press considered the draft international code of ethics for information personnel, revision of the previous text¹¹⁷ and the question of calling an international professional conference in this connexion. The text drawn up by the Sub-Commission at its fourth session had been referred to information enterprises and professional associations for their comments, and the Council, in resolution 306 E (XI) had requested the Sub-Commission to re-examine the text in the light of these comments. The Council, in resolution 414 B (XIII), adopted on 18 September 1951, had decided to continue the Sub-Commission to enable it, at a final session, to complete this revision.¹¹⁸

The Sub-Commission presented to the Council the text of the draft international code adopted at its fifth session (E/2190, annex A). It recommended that the Council request the Secretary-General to establish an ad hoc committee of professional workers in all media of information, charged with the preparation of an international conference on the draft code, to be held in 1953 and for which, in terms of the recommendation, funds would be made available by the General Assembly. The Secretary-General, the Sub-Commission further recommended, should be requested to communicate relevant documents concerning the draft code to national and international professional associations, informing them of the opinion of those organs of the United Nations associated with the drafting of the code that its further development was an entirely professional matter, to be carried out without government interference on either the national or the international plane.

During the general debate in the Council's Social Committee at its 214th to 216th meetings, from 4 to 6 June, the representatives of Belgium, Canada, China, Egypt, France, Iran, the United Kingdom and the United States spoke in favour of continued work on the draft code, but there was some difference of opinion regarding the manner in which this should be carried out. At its 217th meeting on 6 June, the Committee considered three amendments to the recommendations of the Sub-Commission:

(1) The United States submitted an amendment (E/AC7/L.113) which would, in effect, reject the recommendation for the establishment of an ad hoc committee, the calling of an international professional conference and the request to the General Assembly for funds for that purpose. The representative of the United States maintained that, while he was not opposed in principle to such a conference, the draft code should thenceforth be handled by the professional associations concerned, who should themselves take the initiative on the question of a conference. He was opposed to any attempt by public authorities to interfere with journalists and their work. The representatives of Canada, China and the United Kingdom expressed similar views during the general debate. By 12 votes to none, with 6 abstentions, the Committee adopted those parts of the United States amendment; the part concerning the transmission of documents to the professional associations was withdrawn by the sponsor in favour of an amendment by Sweden (see below).

(2) Amendments by France (E/AC.7/L.114) and Sweden (E/AC.7/L.116): The representative of France proposed that the draft code should be communicated to information enterprises and national and international professional associations with an assurance that the United Nations would be prepared to co-operate with them in organizing an international professional conference, if they so desired. The amendment by Sweden proposed further that the relevant documents should also be communicated. The representatives of Belgium, Cuba, Mexico and the Philippines, supporting these amendments, said that while they agreed that there should be no question of the United Nations imposing such a conference on the profession, the French amendment gave some suggestion of how the code might be handled at an international level. After some modification, both amendments were adopted by the Committee—the Swedish amendment by 15 votes to none, with 3 abstentions, and the French amendment by 11 votes to 2, with 5 abstentions.

The draft resolution, thus amended, was adopted as a whole by the Committee (E/2251), by 15 votes to none, with 3 abstentions, at its 217th meeting on 6 June and by the Council, by the same vote, without discussion, at its 602nd plenary meeting on 12 June. By this resolution (442 B (XIV)), the Council, having noted the revised text of the draft international code of ethics, requested the Secretary-General to communicate the draft code, together with informa-

¹¹⁷ See Y.U.N., 1951, p. 509.

¹¹⁸ See p. 459.

tion concerning its preparation, to national and international professional associations and information enterprises, informing them that if they thought it desirable, the United Nations might co-operate with them in organizing an international professional conference for the purpose of drawing up an international code of ethics.

During the Assembly's seventh session at the 440th meeting of the Assembly's Third Committee on 7 November 1952, a joint draft resolution on the question of the draft international code of ethics was introduced by Ecuador, India, Indonesia, Iraq, the Philippines, Saudi Arabia and Yugoslavia (A/C.3/L.263).

The draft resolution would refer to the action taken by the Council on the report of the Sub-Commission, note that the draft code had been drawn up by experts and was a workable code of professional conduct and would commend it for the consideration of members of the journalistic profession all over the world. It would further request the Council to invite international professional organizations to hold a professional conference to consider the question of drawing up a final text of the code and would request the Secretary-General to offer facilities and assistance for the holding of such a conference. Pakistan later became a co-sponsor and a revised text (A/C.3/L.263/Rev.1) was submitted. Egypt then became a co-sponsor and a second revised text (A/C.3/L.263/Rev.2) was submitted.

The new text would have the Assembly express the opinion that all further work connected with the draft code should be undertaken by professionals of information enterprises with no interference from governments, either on the national or the international level, and would request 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 in organizing an international professional conference for the purpose of preparing and adopting a final text of an international code of ethics and taking such further steps concerning implementation of the code as it might deem advisable. The revised draft resolution would further request the Secretary-General to bring the text of that decision to the notice of the information enterprises and national and international professional associations to which he had communicated the draft code.

Support for the revised draft resolution was expressed in the Third Committee by Afghanistan, Cuba, France, Greece, Netherlands, New Zealand and the United States. It was again emphasized

by the representatives of Canada, Lebanon, New Zealand, Sweden and the United States that the independence of professional journalists should be respected, that no pressure should be exercised by governments and that the initiative in respect of calling an international conference should be taken by the professional associations themselves. The sponsors of the joint draft resolution expressed agreement with these views and felt that such principles were safeguarded by the text of the revised draft.

The representatives of the Union of South Africa and the USSR referred to the expense involved in convoking an international professional conference and stated that the resolution before the Committee should be interpreted in the light of the memorandum (A/C.3/L.273) in which the Secretary-General had stated that the costs resulting from the holding of such a conference could be absorbed, provided it were held at United Nations Headquarters at a time when no other major conferences were taking place, that travel and subsistence costs were borne by the professional organizations and that the conference would not involve additional printing costs.

The revised joint draft resolution (A/C.3/L.-263/Rev.2) was adopted by the Committee (A/-2294) at its 441st meeting on 10 November by a roll-call vote of 43 to 5, with 7 abstentions, and by the General Assembly, without discussion, at its 403rd plenary meeting on 16 December 1952, by 50 votes to 5, with 2 abstentions, as resolution 635 (VII). It read:

"The General Assembly,

"Noting the action taken by the Economic and Social Council in resolution 442 B (XIV) of 12 June 1952 on the draft International Code of Ethics drawn up by the Sub-Commission on Freedom of Information and of the Press at its fifth session,

"Considering that all further work connected with the draft Code should be undertaken by professional members of information enterprises with no interference from governments, either on the national or the international level,

"1. Requests the Secretary-General, if a representative group of information enterprises and of national and international professional associations expresses a desire to do so, to co-operate with it in organizing an international professional conference for the purpose of:

"(a) Preparing and adopting a final text of an International Code of Ethics;

"(b) Taking such further steps concerning implementation of the Code as it may deem advisable;

"2. Requests the Secretary-General to bring the text of the present resolution to the notice of the information enterprises and national and international professional associations to which he communicated the draft Code."

4. Establishment of an International Institute of Press and Information

At its fifth session, the Sub-Commission on Freedom of Information and of the Press recommended (E/2190) that the Economic and Social Council urge UNESCO to expedite the establishment on a universal basis of the International Institute of Press and Information.

At the Council's fourteenth session its Social Committee considered the recommendation at its 219th and 220th meetings on 9 and 10 June. The Committee also considered an amendment by France (E/AC.7/L.114), in terms of which UNESCO would be invited: (1) to prepare a model statute for the establishment of national information institutes; and (2) to promote meetings and conversations between the representatives of international and national information institutes, representatives of professional organizations and experts in the field of information.

The Committee rejected the French amendment by 5 votes to 4, with 6 abstentions, after opposition was expressed by the representatives of the United Kingdom and the United States. Those representatives felt that such institutes should be self-established; they also felt that it would be difficult, if not impossible, to evolve a model statute to meet all needs. By 6 votes to 5, with 5 abstentions, the Committee also rejected the recommendation by the Sub-Commission which the French proposal sought to amend.

Accordingly, no action in this connexion was taken by the Council at its fourteenth session.

5. Information facilities in Under-Developed Regions of the World

In connexion with the question of information facilities in under-developed regions of the world, the Sub-Commission on Freedom of Information and of the Press, at its fifth session, recommended (E/2190) that the Economic and Social Council request UNESCO to pursue its studies and work on technical assistance for the purpose of encouraging and developing domestic information agencies. The Sub-Commission also recommended that the Council request the Secretary-General, in conjunction with the Council's Technical Assistance Committee and UNESCO, to report to the Council on this question at its fifteenth session.

During the general debate on freedom of information in the Social Committee of the Council, at its 214th to 216th meetings, from 4 to 6

June, the representatives of Egypt, France, Iran, the Philippines, the United Kingdom and the United States, among others, expressed the view that UNESCO should continue its studies on this question and that the United Nations should actively aid efforts to promote freedom of information.

The draft resolution recommended by the Sub-Commission was considered by the Social Committee at its 219th meeting on 9 June, when the representative of France submitted an amendment (E/AC.7/L.114). This amendment would add to the preamble a statement that the Council was convinced of the desirability of developing domestic information agencies in each country. It would also replace the operative part of the draft resolution by an invitation to the Secretary-General, in conjunction with UNESCO and the Technical Assistance Committee, to study ways and means of ensuring the development of domestic information agencies and to report thereon to the Council. The French representative stated that his amendment was aimed at ensuring that the studies would be carried out under the guidance of the Secretary-General.

The representative of France accepted a number of oral amendments suggested by the United States representative to the effect, among other things, that the report should be made to the Council in 1953 and that reference to the Technical Assistance Committee should be deleted as its activities depended on requests from governments and because the Secretary-General could, as a matter of course, consult any United Nations body that he felt might be able to assist him in his studies. The representatives of Canada and Egypt expressed their preference for the text of the draft recommended by the Sub-Commission. The Social Committee, however, by 10 votes to 3, with 5 abstentions, adopted the French amendment to the operative part of the draft recommended by the Sub-Commission, and the resolution as a whole, as amended, by 17 votes to none, with 1 abstention. At its 604th plenary meeting on 13 June, the Council in turn adopted, by 14 votes to none, with 2 abstentions, the resolution recommended by the Committee as resolution 442 E (XIV). By this resolution, the Council noted that it had not been possible for the Sub-Commission to examine the question of the encouragement and development of independent domestic information enterprises (agencies), and invited the Secretary-General, in conjunction with UNESCO, to study ways and means of encouraging and developing such information enterprises and to report to the Council thereon in 1953.

During the general debate on freedom of information at the Assembly's seventh session in the Third Committee, the importance of building up the information services of under-developed countries was again stressed by, among others, the representatives of Afghanistan, Chile, France, Liberia and the United States. Lack of such facilities, those representatives said, was one of the tangible obstacles to freedom of information which could probably be removed in the near future by concerted action. Such action which, some representatives, including the representative of Egypt, stressed, should be taken through the United Nations and not by any one country, would have the effect of increasing the amount of information available to the peoples of under-developed areas of the world, and of ensuring the independence of their information services. It would also serve to protect those areas from the disproportionate influence of the powerful information agencies and enterprises of the larger, more developed countries, with their world-wide ramifications.

The representative of the Philippines submitted a draft resolution (A/C.3/L.258) concerning the development of information facilities in under-developed regions of the world. The draft would have the Assembly take note with approval of the decision of the Council (resolution 442 E (XIV)), note that the scope of the decision was limited and invite the Council to consider the desirability of expanding the area of its study. The Assembly would also invite the Council to recommend to the organizations participating in the technical assistance and other programmes providing aid or assistance at the request of Member States that they should give sympathetic consideration to requests which governments might submit for aid or assistance with a view to improving information facilities and increasing the quantity and improving the quality of information available.

Another draft resolution aimed at broadening the field covered by the decisions of the Council on this subject was submitted jointly by Afghanistan, Chile, Egypt, France, Guatemala, India, Lebanon and Yugoslavia (A/C.3/L.261). The draft resolution would invite the Secretary-General, when working out, in collaboration with UNESCO, the report called for by the Council, to elaborate a programme of concrete action with a view to technical assistance for the furthering and development of independent domestic information enterprises. The programme, the draft resolution stated, should take into consideration measures for technical assistance to help countries

develop national media of information, to alleviate the newsprint shortage, to eliminate economic and financial obstacles in the field of information and to organize and promote the exchange of information personnel among countries. The Council would be called upon to submit its programme concerning those matters to the Assembly at its eighth session.

Reference to technical assistance for the development of news media was also made in a draft resolution by Australia, Belgium, Denmark, Greece, the Netherlands, Norway and Sweden (A/C.3/L.260), which would have the Assembly recommend that the Council and UNESCO give special attention to assisting Members in the development of news media, through such means as fellowships and training activities under the regular technical assistance programme and through regional seminars of publishers and journalists.

At the 432nd meeting of the Third Committee on 1 November, a joint draft resolution was submitted by Afghanistan, Chile, France, Guatemala, India, Lebanon, the Philippines and Yugoslavia (A/C.3/L.266 and Corr.1) covering the provisions of the eight-Power proposal (A/C.3/L.261), those of the proposal of the Philippines (A/C.3/L.258) and part of a draft resolution by Australia, Belgium, Denmark, Greece, the Netherlands, Norway and Sweden (A/C.3/L.260) relating to technical assistance. The joint draft resolution would have the Assembly note with approval the decision by the Council regarding the encouragement and development of independent domestic information enterprises, but note also that the decision referred only to the encouragement and development of such enterprises. The draft would then have the Assembly invite the Council to consider, in the light of discussions at the Assembly's seventh session, the desirability of expanding the area of its study of the question. To that end, the Secretary-General would be requested, in preparing the report called for by the Council, to elaborate a programme of concrete action which would include suggestions for measures which might be taken in a number of specific fields. The Council would be requested to submit the programme, together with recommendations thereon, to the Assembly at its eighth session. The Council would be further invited to recommend that the organizations participating in the technical assistance and other programmes should provide aid or assistance at the request of Member States and give sympathetic consideration to requests which governments might submit for such aid or assistance within the framework of those programmes, with a view to improving information

facilities and increasing the quantity and quality of information available to the peoples of the world.

During the discussion, the Committee heard statements from the representatives of the Secretary-General and of UNESCO at the 439th meeting on 7 November concerning measures already taken or being taken to assist countries in matters related to information under the regular programme of technical assistance and under the Expanded Programme.

Afghanistan submitted an amendment (A/C.3/L.268/Rev.1) calling for the insertion of a new paragraph in the operative part of the joint draft resolution (A/C.3/L.266 and Corr.1), inviting whichever organ of the United Nations became seized of the problem of completing work on the draft convention on freedom of information to consider the inclusion in the convention of an article based on the right of all nations to nationalize foreign information enterprises.

The draft resolution and the amendment were considered by the Third Committee at its 438th to 440th meetings on 6 and 7 November.

Support for the joint draft resolution was expressed by a number of representatives, among them those of Argentina, Australia, Bolivia, Brazil, Cuba, El Salvador, Greece, Guatemala, Haiti, Honduras, Iran, Iraq, Israel, New Zealand, Sweden, Syria, Turkey, the USSR, the United States and Uruguay.

Support for the Afghanistan amendment was expressed by the representatives of Bolivia, Indonesia, Syria, the USSR and Yugoslavia; a number of representatives, on the other hand, including those of Argentina, Australia, China, Cuba, Egypt, El Salvador, Greece, Haiti, Honduras, India, Iran, Israel, New Zealand, Norway, the Philippines, Sweden, Turkey, the United States and Uruguay, stated either that there was no need for such an amendment and that such rights as the right to nationalize could not be considered to be within the scope of international agreements, or that, while they did not oppose the principle, they could not vote in favour of it as it created certain difficulties. The representative of Afghanistan, however, stated that his amendment did not raise the question of a Committee decision on the right of nationalization; it merely expressed a desire that this right should be taken into consideration.

At its 440th meeting on 7 November, the Committee adopted some drafting amendments to the joint draft resolution. It rejected, however, by a roll-call vote of 26 to 13, with 13 abstentions, the

amendment by Afghanistan and adopted the joint draft resolution, as amended, by 47 votes to none, with 5 abstentions.

The draft resolution recommended by the Committee (A/2294) was adopted by the General Assembly, without discussion, at its 403rd plenary meeting on 16 December 1952, by 52 votes to none, with 5 abstentions, as resolution 633 (VII). It read:

"The General Assembly,

"Considering that it is essential for the proper development of public opinion in under-developed countries that independent domestic information enterprises should be given facilities and assistance in order that they may be enabled to contribute to the spread of information, to the development of national culture and to international understanding,

"Convinced that the development of information media contributes greatly to the economic and social progress of peoples,

"Convinced that the time has arrived for the elaboration of a concrete programme and plan of action in this respect,

"Taking note with approval of the decision taken by the Economic and Social Council in resolution 442 E (XIV) of 13 June 1952 with regard to the study of ways and means of encouraging and developing independent domestic information enterprises,

"Noting, however, that the above decision only refers to the encouragement and development of independent domestic information enterprises, including Press, radio, newsreels and television, therefore,

"1. Invites the Economic and Social Council to consider, in the light of the discussions at the seventh session of the General Assembly, the desirability of expanding the area of its study of this question; and, to that end,

"2. Requests the Secretary-General, in preparing the report called for under the above-mentioned resolution of the Council, also to elaborate a programme of concrete action which would include, inter alia:

"(a) Measures to reduce economic and financial obstacles in the field of information;

"(b) Measures to organize and promote among countries the exchange of information personnel;

"(c) Measures to assist the training of information personnel, the raising of professional and technical standards, the provision of fellowships and the holding of regional seminars;

"(d) All necessary measures in connexion with the supply of newsprint;

"3. Calls upon the Economic and Social Council to submit the above-mentioned programme, together with recommendations thereon, to the General Assembly at its eighth session;

"4. Further invites the Council to recommend to the organizations participating in the technical assistance and other programmes providing aid or assistance at the request of Member States that they give sympathetic consideration to requests which governments may submit for such aid or assistance within the framework of those programmes with a view to improving information facilities and increasing the quantity and improving the quality of information avail-

able to the peoples of the world, as one means of implementing the right of freedom of information as enunciated in the provisions of Article 1, paragraph 3, and Article 55 of the Charter of the United Nations and in article 19 of the Universal Declaration of Human Rights."

6. Dissemination of Resolutions of the United Nations

At its fifth session, the Sub-Commission on Freedom of Information and of the Press recommended (E/2190) to the Economic and Social Council that it should, in turn, recommend that the General Assembly urge governments, upon receipt of any resolution of any organ of the United Nations communicated to them by the Secretary-General, to give the widest possible dissemination to those resolutions through customary channels in accordance with their procedures for releasing news concerning international affairs.

This recommendation was adopted by the Council's Social Committee at its 219th meeting on 9 June 1952, without discussion, by 15 votes to none, with 3 abstentions, and by the Council at its 604th meeting on 13 June, without discussion, by 14 votes to none, with 1 abstention, as resolution 442 D (XIV).

A draft resolution similar to that adopted by the Council came before the Assembly during its seventh session at the 442nd meeting of the Third Committee on 11 November 1952. Submitted by Egypt, the draft (A/C.3/L.247/Rev.1) would, in addition, have the Assembly recommend to governments that they should take special measures to disseminate any resolution communicated to them by the Secretary-General at the special request of the organ adopting that resolution. In terms of the draft, further, the Assembly would also request the Secretary-General to give the fullest possible assistance in the dissemination of all resolutions of United Nations organs, with particular attention to resolutions communicated to governments at the request of the organ adopting that resolution. An appeal would also be made to the media of information to co-operate in disseminating information concerning resolutions of United Nations organs. The representative of Egypt stressed that United Nations information centres throughout the world should distribute the texts of resolutions in the countries in which they were situated.

General support for the Egyptian draft was expressed in the Committee by the representatives of Belgium, China, France, Greece, India, Iraq, Lebanon, New Zealand, Saudi Arabia, Syria, the

United States and Yugoslavia. A number of amendments, however, were submitted.

The representatives of France and the United States felt that it was inadvisable for the Assembly to recommend the wide dissemination of purely procedural resolutions or of resolutions of subsidiary organs, which were provisional in character. The representative of Egypt accepted that part of their joint amendment (A/C.3/L.285/Rev.1) which would limit the resolutions to those dealing with questions of substance. He also accepted two further amendments: one, an oral proposal by the representative of Lebanon, that the draft should urge the rapid dissemination of resolutions; the other, submitted by Greece (A/C.3/L.291/Rev.1), which would stipulate that the appropriate United Nations services should be used for the presentation in non-technical language of these resolutions.

In 14 separate votes, ranging from 18 votes to 17, with 16 abstentions, to 46 votes to 1, with 4 abstentions, the Committee adopted an amended version of the Egyptian draft and adopted the draft as a whole by a roll-call vote of 44 to 5, with 1 abstention.

Among the amendments adopted by the Committee was part of a joint amendment by France and the United States (A/C.3/L.285/Rev.1), adopted by 28 votes to 13, with 10 abstentions, to include a qualification that the resolutions, the dissemination of which was to be recommended, should be those of any principal organ of the United Nations. Consequential modifications were made to the text. The Committee, however, by 16 votes to 16, with 19 abstentions, rejected that part of the joint amendment which would apply the same qualification to the proposed appeal to the media of information for co-operation in disseminating information concerning resolutions of United Nations organs.

The Committee, by 15 votes to 12, with 25 abstentions, also decided not to recommend that governments should be urged to take special measures for dissemination. It adopted an amendment by the USSR (A/C.3/L.284) to this effect, calling for the deletion of the recommendation from the Egyptian draft. The representative of the USSR stated that governments could not be obliged to take special measures for the dissemination of what he called unjust resolutions, against which they had voted. As a result of the adoption of the Soviet amendment, two suggested modifications of the deleted paragraph of the Egyptian draft, proposed jointly by France and the United States (A/C.3/L.285/Rev.1) and orally by the representative of New Zealand, were not voted

upon. Two further proposals by the USSR, contained in the same amendment, were rejected by the Committee: one, which would delete from the Egyptian draft the request to the Secretary-General to assist in the dissemination of resolutions, was rejected by 23 votes to 13, with 14 abstentions; the other, which would add to the request to governments a condition concerning dissemination ("providing that they agreed with the particular resolution") was rejected by 35 votes to 5, with 10 abstentions.

By 18 votes to 17, with 16 abstentions, the Committee decided to delete from the Egyptian draft a reference to the manner in which governments should be urged to disseminate resolutions ("in accordance with their procedures for releasing news concerning international affairs").

The resolution recommended by the Third Committee (A/2294) was considered by the General Assembly at its 403rd plenary meeting on 16 December 1952.

The representative of the USSR introduced a two-part amendment (A/L.129) similar to that rejected by the Third Committee. By 37 votes to 6, with 12 abstentions, the Assembly rejected the addition of the proviso that governments should agree with the particular resolution to be disseminated. By 42 votes to 5, with 5 abstentions, the Assembly also rejected the Soviet proposal for the deletion of a request to the Secretary-General to assist in the dissemination. It adopted, by 53 votes to 5, with 1 abstention, the resolution recommended by the Committee. The resolution (636 (VII)) read:

"The General Assembly,

"Having regard to resolution 442 D (XIV) adopted by the Economic and Social Council on 13 June 1952,

"1. Urges governments, on receipt of any resolutions dealing with questions of substance adopted by any principal organ of the United Nations, to make every effort to disseminate such resolutions through the customary channels;

"2. Requests the Secretary-General to assist to the fullest possible extent in the rapid dissemination of all such resolutions of principal organs of the United Nations, particular attention being given to resolutions communicated to governments at the special request of the organ adopting those resolutions;

"3. Appeals to information media to co-operate in disseminating information concerning such resolutions of organs of the United Nations, drawing on the appropriate services of the United Nations for the presentation of those resolutions."

7. The Question of False or Distorted Information

At its fifth session, the Sub-Commission on Freedom of Information and of the Press recom-

mended (E/2190) that the Economic and Social Council should place on the agenda of forthcoming sessions a number of items (E/2190, annex) relating to freedom of information and of the Press. Among those items was the further consideration of effective measures to combat false and distorted news.

At its fourteenth session, the Council's Social Committee considered the recommendation of the Sub-Commission at its 218th and 219th meetings on 9 June. The Committee also had before it an alternative proposal—an amendment by France (E/AC.7/L.114) which, after oral amendment by the sponsor, would invite the Secretary-General to pursue studies on an international statute for foreign correspondents and of measures to prevent misuse of the name and emblems of the United Nations. The amendment would also invite UNESCO to study the question of exchange of staff members of information enterprises and problems of copyright at the international level.

There was some difference of opinion in the Committee as to whether, in view of the earlier adoption by the Committee of a recommendation concerning the future work of the United Nations on freedom of information and of the Press, the recommendation of the Sub-Commission and the amendment by France should be discussed. The representatives of Belgium, the United Kingdom and the United States felt that no such formal resolution was necessary. The representatives of Egypt, the Philippines and the USSR, on the other hand, felt that the Committee should consider the question, expressing the view that the dissemination of accurate news might alleviate international tension and serve as a safeguard to peace. The representative of France, who felt that the studies outlined by him might usefully be started without delay, accepted an oral proposal by Mexico, however, to present his proposal as a separate draft resolution and not as an amendment to the Sub-Commission's recommendation. France also proposed, and the Committee by 10 votes to 5, with 3 abstentions, decided, to defer consideration of the Sub-Commission's recommendation until 1953, when the report of the Secretary-General on freedom of information¹¹⁹ would be before the Council.

The Committee voted separately on the various studies proposed by France. By 8 votes to 6, with 4 abstentions, it rejected the request to the Secretary-General to continue studies for the purpose of completing an international statute for foreign correspondents. By votes varying from 6

¹¹⁹ Seep.469.

to 3, with 9 abstentions, to 10 to none, with 8 abstentions, it adopted the remainder of the proposals concerning studies. In the voting on the French draft resolution as a whole, however, 7 votes were cast in favour, 7 against and 4 abstentions, and the draft resolution as a whole, accordingly, was not adopted.

During the Assembly's seventh session, at the 441st meeting of the Third Committee on 10 November, a joint draft resolution was submitted by El Salvador and Guatemala (A/C.3/L.281) on the question of false or distorted information. The draft resolution incorporated the substance of an amendment previously submitted by Guatemala (A/C.3/L.271/Rev.2) to a joint draft resolution by Australia, Belgium, Denmark, Greece, Lebanon, the Netherlands, Norway, the Philippines and Sweden (A/C.3/L.265).¹²⁰ It would have the Assembly state that it considered that the dissemination of false or distorted news by national as well as international information enterprises was one of the causes of the lack of mutual understanding among nations, to the detriment of international harmony. That problem, the draft would further state, should be studied in connexion with the general item entitled "Freedom of information", and it would recommend that United Nations bodies studying the problems of freedom of information should bear in mind the need to protect national prestige against the dissemination of false or distorted information.

Presenting the joint draft resolution, the representative of El Salvador stated that its purpose was to make clear to United Nations bodies studying freedom of information the interest of the Assembly in the investigation of methods to remove the difficulties faced by countries which were victims of abuses of information. Support for the principle embodied in the joint draft resolution was expressed by the representatives of Afghanistan, India, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia and Syria, though many of those representatives commented on the text and form of the draft. The representatives of the Netherlands, New Zealand and the United Kingdom, however, felt that the resolution if adopted might give rise to misrepresentation.

Two amendments, one by Iran (A/C.3/L.286) and one by Lebanon (A/C.3/L.289), seeking textual changes to the joint draft, were withdrawn by their sponsors and a third, presented jointly by India and the United States (A/C.3/L.287), was not voted on in view of the Committee's adoption, by 32 votes to 13, with 5 abstentions, of an amendment by France (A/C.3/L.288). In terms

of that amendment, the General Assembly would recommend that United Nations bodies studying the problems of freedom of information should consider appropriate measures for avoiding the harm done to international understanding by the dissemination of false or distorted information. The Committee adopted the draft resolution, as amended, by 37 votes to 1, with 12 abstentions, and this recommendation (A/2294) was adopted in turn by the General Assembly, without discussion, at its 403rd plenary meeting on 16 December 1952, by 50 votes to none, with 10 abstentions, as resolution 634(VII). It read:

"The General Assembly,

"Considering that the dissemination of false or distorted information by national as well as international information enterprises is one of the causes of the lack of mutual understanding among nations, to the detriment of international harmony,

"Considering that this specific problem should be studied in connexion with the general item entitled 'Freedom of information',

"Decides to recommend that United Nations bodies studying the problems of freedom of information should consider appropriate measures for avoiding the harm done to international understanding by the dissemination of false and distorted information."

8. Freedom of Information as a Means of Promoting Friendly Relations Among Nations

During the general debate on freedom of information in the Social Committee of the Economic and Social Council, at its 214th to 216th meetings, from 4 to 6 June, the representatives of Czechoslovakia, Poland and the USSR emphasized that freedom of information should be genuinely exercised and put at the service of peace and international concord; it should not serve, those representatives stated, as a pretext for the propagation of false news or of war propaganda.

At the 602nd plenary meeting of the Council on 12 June, those representatives recalled General Assembly resolution 110(II) entitled "Measures to be taken against propaganda and the inciters of a new war" in which the Assembly condemned all forms of propaganda wherever conducted, which was either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and invited each Member Government to take appropriate steps, within its constitutional limits, to combat all propaganda aimed against the Charter, to promote friendly relations among nations and to encourage

¹²⁰ See p. 477.

the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace.

Those representatives said that it was the Council's duty to prepare and adopt a resolution reminding Member States and their Press of the categorical terms of resolution 110(II) and of the part they had to play in the peoples' fight for the maintenance of peace. The Council should also realize that effect should be given to Assembly resolution 110(II) which was designed to promote friendly relations among nations. That was the spirit in which the USSR delegation had drafted the resolution which it was submitting to the Council's consideration (E/L.360).

The Council considered the Soviet draft at its 604th plenary meeting on 13 June. In its preamble, the draft would have the Council: (1) note that since the adoption of Assembly resolution 110(II) in November 1947, propaganda in support of Fascism and a new war had become even stronger in some countries and that new restrictions on freedom of information were being imposed; and (2) set itself the task of combating propaganda of aggression and war likely to provoke a threat to or a breach of the peace.

The draft would have the Council recognize the urgent necessity of studying a number of questions with a view to preparing and submitting to the Assembly practical recommendations to ensure that:

(1) Assembly resolution 110(II) was carried into effect; (2) the use of freedom of information was not tolerated for the purpose of propagating Fascist ideology and of arousing enmity between nations or for racial discrimination or the dissemination of slanderous rumours and false and distorted information; and (3) the development of friendly relations and co-operation between nations was encouraged by all possible means, with the assistance of truthful and objective information, independent of the dictates of private monopolies, trusts and syndicates.

The representatives of Canada, the Philippines, the United Kingdom, the United States and Uruguay announced in the Council that they would vote against the Soviet draft. The representatives of Sweden, the United Kingdom and the Philippines emphasized that freedom of information and of the Press was not to be achieved by the imposition of further restrictions. The representatives of Canada and the United Kingdom described the resolution as propaganda.

The representative of Poland, on the other hand, spoke in support of the Soviet draft. The representative of Egypt, however, supported by the representative of France, felt that a compromise could be achieved between the conflicting views

expressed in the Council and suggested voting on the Soviet draft in parts.

By 8 votes to 3, with 5 abstentions, and 7 votes to 7, with 4 abstentions, the Council rejected two paragraphs of the preamble which would, respectively, note an increase of propaganda in support of Fascism and a new war and have the Council set itself the task of combating propaganda of aggression and war likely to provoke a threat to the peace.

The Council voted separately on that part of the Soviet draft which would have it recognize the urgent necessity of studying three questions with a view to preparing and submitting to the Assembly practical recommendations.

On the first of these questions—to ensure that General Assembly resolution 110(II) was carried into effect—the Council decided by a roll-call vote of 8 to 6, with 4 abstentions, to reject it. Voting was as follows:

In favour: Czechoslovakia, Egypt, Iran, Pakistan, Poland, USSR.

Against: Belgium, Canada, China, Cuba, Philippines, United Kingdom, United States, Uruguay.

Abstaining: Argentina, France, Mexico, Sweden.

On the second question—to ensure that the use of freedom of information for the purpose of arousing enmity between nations, for racial discrimination and the dissemination of slanderous rumours and false and distorted information was not tolerated—the Council, after amending the Soviet proposal, rejected it by a roll-call vote of 8 to 5, with 5 abstentions. Voting was as follows:

In favour: Czechoslovakia, Egypt, Pakistan, Poland, USSR.

Against: Belgium, Canada, China, Cuba, Philippines, United Kingdom, United States, Uruguay.

Abstaining: Argentina, France, Iran, Mexico, Sweden.

On the third question—to ensure that the development of friendly relations between nations was encouraged and promoted by all possible means—the Council after amending the proposal rejected it by a roll-call vote of 7 to 7, with 4 abstentions. Voting was as follows:

In favour: Argentina, Czechoslovakia, Egypt, Iran, Pakistan, Poland, USSR.

Against: Belgium, Canada, China, Cuba, Philippines, United Kingdom, United States.

Abstaining: France, Mexico, Sweden, Uruguay.

Under rule 63 of the rules of procedure, the Soviet proposal was considered to have been rejected as a whole, as all operative parts of the resolution had been rejected.

During the general debate on freedom of information at the Assembly's seventh session, at the

421st to 428th meetings of the Third Committee from 22 to 29 October 1952, a number of representatives, including those of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, emphasized that the Press should be an instrument for counteracting and not for disseminating war propaganda and propaganda of hatred, aggression and discrimination, and that it should work actively for peace. Those representatives maintained that legislative steps should be taken to implement previous decisions of the General Assembly on this matter.

Other representatives, on the other hand, including those of the United Kingdom and the United States, claimed that no responsible media of information sought to promote another world war as was alleged and that measures to restrict propaganda would, in practice, restrict freedom of information itself.

At the 435th meeting of the Assembly's Third Committee on 4 November, the USSR introduced a draft resolution (A/C.3/L.255/Rev.1) in terms similar to that introduced in the Council. By this draft resolution, the Assembly would recommend that all States Members of the United Nations should take all necessary steps, including legislative steps, with a view to ensuring the implementation of General Assembly resolution 110(II).

Four amendments to the Soviet draft were presented in the Committee.

(1) India submitted a four-part amendment (A/C.3/L.269) which was adopted by the Committee. By 21 votes to 5, with 27 abstentions, it decided to delete from the Soviet draft the specific request for legislative steps in this question by States Members of the United Nations (a similar proposal was made in an amendment by Saudi Arabia (A/C.3/L.270)—see below). By 32 votes to 2, with 18 abstentions, it adopted a paragraph proposed by India to replace part of the Soviet draft, and by this action recommended that all States Members of the United Nations should take all necessary steps to promote "by all means of publicity and propaganda available, friendly relations among nations based upon the principles of the Charter." By 18 votes to 6, with 29 abstentions, it adopted a new text for part of the Soviet draft which, in its amended form, would recommend that States Members of the United Nations take steps with a view to "promoting in every way the dissemination, independent of dictation from any source, of truthful and objective information, thereby maintaining and strengthening international peace and security, developing friendly relations and international co-operation in strengthening peace and in solving international problems of an economic, social, cultural and humanitarian character, and strengthening economic and trade relations between nations on the basis of equality and mutual respect for the independence and sovereignty of States".

By 28 votes to 8, with 15 abstentions, the Committee also adopted the Indian proposal to delete

that part of the Soviet draft which referred to the General Assembly's having assumed the task of counteracting propaganda in favour of aggression and war.

(2) Saudi Arabia submitted an amendment (A/C.3/L.270) in terms of which part of the preamble of the Soviet draft would be amended to have the Assembly note "that since the (Assembly) resolution (110(II)) was adopted, war propaganda has increased and has been accompanied by limitations on freedom of information".

This amendment, in favour of which the representative of India withdrew part of his amendment (A/C.3/L.269—see above) was adopted by the Committee by 16 votes to 6, with 29 abstentions. By a vote of 17 to 10, with 23 abstentions, however, the Committee, in voting on the paragraph as amended, rejected the amended text.

(3) Afghanistan submitted an oral amendment, in terms of which the resolution would refer merely to "propaganda" and not "war propaganda", which was not adopted by the Committee, 9 votes being cast in favour and 9 against, with 30 abstentions.

(4) Lebanon submitted an oral amendment which sought the deletion of that part of the Soviet draft which would urge States Members of the United Nations to take steps with a view to preventing the use of information media for propaganda of any kind in favour of aggression and war, of incitement to hatred between nations, of racial discrimination and of dissemination of slanderous rumours and of false and distorted reports. The Lebanese amendment was adopted by the Committee by 32 votes to 8, with 12 abstentions.

At its 435th meeting on 4 November, the Committee, by a roll-call vote of 21 to 19, with 12 abstentions, rejected the Soviet draft resolution, as amended, as a whole.

At the 403rd plenary meeting of the Assembly on 16 December 1952, the representative of the USSR introduced a draft resolution (A/L.125), in terms similar to those of the draft resolution introduced by the USSR in the Third Committee (A/C.3/L.255/Rev.1).

The Assembly did not discuss the Soviet draft, but a number of delegations explained their votes. The representative of Saudi Arabia asked that separate votes should be taken on individual paragraphs, phrases and words, and the President, with the concurrence of the Assembly, put the requested divisions as amendments for deletion. Four of the five Saudi Arabian amendments were adopted by the Assembly, in votes ranging from 6 to 5, with 43 abstentions, to 13 to 6, with 36 abstentions. As a result, the Assembly deleted from the Soviet draft references to: (1) the introduction of new limitations on freedom of information; (2) "Nazi, Fascist and any other" propaganda; (3) the proposed recommendation by the Assembly to Governments to take legislative steps; and (4) steps

to prevent the use of information media for propaganda for aggression and war, incitement to hatred between nations, racial discrimination, dissemination of slanderous rumours and false and distorted reports. The fifth amendment by Saudi Arabia, which sought the deletion of a reference to "all" necessary steps, was not adopted, 5 votes being cast in favour and 5 against, with 45 abstentions.

The Assembly rejected by a roll-call vote of 35 to 9, with 14 abstentions, the Soviet draft resolution (A/L.125) as amended. Voting was as follows:

In favour: Afghanistan, Byelorussian SSR, Czechoslovakia, Iraq, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR.

Against: Australia, Belgium, Brazil, Canada, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, France, Greece, Haiti, Honduras, Israel, Lebanon, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

Abstaining: Argentina, Bolivia, Burma, Chile, Egypt, Ethiopia, India, Indonesia, Iran, Liberia, Mexico, Pakistan, Yemen, Yugoslavia.

9. Closing Down of the Argentine Newspaper La Prensa

At its 106th meeting on 18 March the Sub-Commission considered a draft resolution (E/CN.4/Sub.1/170) concerning the closing down of the newspaper La Prensa, of Buenos Aires, submitted by the member for Chile, Silva Carvallo. The resolution, which was adopted by the Commission, without amendment, by 10 votes to 1, read:

"Whereas

"On 1 March 1951 the newspaper La Prensa of Buenos Aires was closed by the Argentine police authorities, against the will of its lawful owners and staff,

"This act called for the protests from many newspapers in various countries throughout the world,

"Similar protests were also made by numerous professional associations of journalists of various countries,

"The closing down of La Prensa of Buenos Aires constitutes an infraction of freedom of the Press as conceived, defined and protected by the basic instruments of the United Nations,

"The Sub-Commission on Freedom of Information and of the Press resolves:

"To condemn this infraction of freedom of information and of the Press and to communicate its resolution to the Commission on Human Rights and the Economic and Social Council of the United Nations, with a recommendation that the Council, in considering future work on freedom of information, should

consider measures to prevent future infractions of this kind."

No recommendation in this connexion was made to the Council.

10. Future Work of the United Nations in the Field of Freedom of Information

By resolution 414 B. III (XIII), adopted on 18 September 1951,¹²¹ the Economic and Social Council had requested the Secretary-General, after consultation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), to conduct an inquiry among Member States regarding the Council's future work in connexion with freedom of information and to report the results to the Council in 1952.

At its fourteenth session, the Council had before it the replies of governments to the Secretary-General's inquiry (E/2178 and Add.1 to 8) as well as the Secretary-General's report on the inquiry (E/2217 and Add.1).

Among the recommendations (E/2190) made by the Sub-Commission on Freedom of Information and of the Press concerning the future work of the United Nations in the field of freedom of information was a recommendation that the Council set up an expert committee on freedom of information to carry out an active inquiry into the degree of freedom of information existing in the world and to report directly to the Council.

The Sub-Commission also recommended (E/2190) that the Council decide that a number of items relating to freedom of information and of the Press would be placed on the agenda of forthcoming sessions. Among those items were:

(1) an annual survey on freedom of information; (2) an annual survey of information facilities; (3) the activities of the specialized agencies in the field of freedom of information; (4) the activities of non-governmental organizations in the same field; (5) the elaboration of a technical assistance programme; (6) further consideration of effective measures to combat false and distorted news;¹²² and (7) organization and promotion of the exchange between the various countries of members of the Press and of other information media.

The future work of the United Nations in the field of freedom of information and of the Press was the subject of a number of statements during the general debate on freedom of information in the Council's Social Committee, at its 214th to 216th meetings, held from 4 to 6 June. The representatives of Belgium, Canada, China, Czecho-

¹²¹ See Y.U.N., 1951, p.513.

¹²² See pp. 471-72.

Slovakia, Egypt, France, Iran, Pakistan, the Philippines, Poland, Sweden, the USSR, the United Kingdom and the United States felt, generally speaking, that the importance of the principle of freedom of information and of the Press and of work in this field should be emphasized. The main decisions to be taken by the Social Committee, they considered, concerned the manner in which freedom of information should be achieved and the nature of the procedures which should be adopted in working towards that aim.

The representative of Pakistan, who maintained that the United Nations should assume direct responsibility, was supported by the representatives of Belgium, Canada, the United Kingdom and the United States, among others.

Among those who supported the view that a committee of twelve members should be set up were the representatives of Egypt, France and the Philippines; the representatives of Belgium, Canada, China, Sweden, the USSR, the United Kingdom and the United States, on the other hand, did not feel that such a body would help solve the problem. The responsibility should be that of the Council, some of these representatives maintained.

The two recommendations by the Sub-Commission concerning future work were considered by the Social Committee at its 217th to 219th meetings, from 6 to 9 June. The Committee decided to adjourn the debate on the second recommendation, which concerned subjects for consideration by the Council at subsequent sessions, but considered the Sub-Commission's other recommendation for the setting up of an expert committee, together with four amendments and sub-amendments:

(1) An amendment by France (E/AC.7/L.114) which would replace the operative part of the draft resolution recommended by the Sub-Commission with proposals requesting the Secretary-General to appoint a committee of five which would be instructed not later than 30 April 1953: (a) to collect evidence of de facto and de jure elements of freedom of information throughout the world; (b) to ascertain the conditions of freedom of information in the present-day world; and (c) to define the areas in which international action could profitably be undertaken and to suggest the conditions under which such action could be conducted. By the same amendment, the Council would decide to include discussion of the report of the proposed committee in the agenda of its sixteenth session. This amendment was later withdrawn by the sponsor.

(2) An amendment by the United States (E/AC.7/L.115) which would, among other things, replace the operative part of the recommendation made by the Sub-Commission and have the Council decide to appoint from among its members and for a trial period

of one year a rapporteur on freedom of information. In terms of the amendment, the rapporteur, in cooperation with the Secretary-General and the appropriate specialized agencies and non-governmental organizations, would prepare, for the sixteenth session of the Council, a substantive report covering major contemporary problems and developments in the fields enumerated in the list of subjects recommended by the Sub-Commission, together with recommendations regarding specific and practical action which might be taken to advance freedom of information as a basic human right. By the same amendment, the Council would decide to include in the agenda of its sixteenth session an item on freedom of information, which it could consider in the light of the report. Presenting his amendment, the representative of the United States said that he had suggested a trial period of one year, after which the Council could review the proposed system.

(3) An amendment by the United Kingdom (E/AC.7/L.118) to the United States amendment proposing a number of drafting changes and stipulating that the rapporteur would be appointed in his individual capacity. Presenting his amendment, the representative of the United Kingdom said that changes had been recommended to allow for greater latitude in some cases and to clarify terms of reference in others. All amendments proposed by the United Kingdom were accepted by the United States.

(4) An amendment by Egypt (E/AC.7/L.117) to the United States amendment which would, among other things, replace the operative part of the United States draft except for that part concerning the appointment of a rapporteur on freedom of information. In terms of the Egyptian amendment, a three-member expert standing committee of investigation and surveillance would be chosen by the Secretary-General to consider what political and economic factors were likely to constitute obstacles to freedom of information throughout the world and to report annually to the Council. UNESCO, according to the Egyptian amendment, would be requested to study the technical aspects of the problem of freedom of information and to report annually to the Council. In presenting his amendment, the representative of Egypt said that he was aiming at the establishment of a permanent organ in the field of freedom of information.

The Committee, after rejecting, by 14 votes to 3, with 1 abstention, references to the proposed committee as a standing committee and the provision that it should report yearly to the Council, rejected the Egyptian amendment, as a whole, by 12 votes to 6.

By 10 votes to 5, with 3 abstentions, the Committee rejected the United States proposal, as amended by the United Kingdom, concerning the appointment of a rapporteur. The remainder of the amendment was adopted in parts by the Committee, by votes of 10 to 6, with 2 abstentions, and 10 to none, with 8 abstentions. At its 218th meeting on 9 June, the Committee adopted the amended draft resolution as a whole, by 10 votes to 2, with 6 abstentions. According to the draft resolution adopted by the Committee, the Council would

recommend that the Secretary-General, in co-operation with the appropriate specialized agencies and non-governmental organizations, prepare for submission to the Council in 1953 a substantive report covering major temporary problems and developments in the field of freedom of information, together with a number of recommendations. By the same draft resolution the Council would include in its agenda for 1953 an item on freedom of information for the purpose of reviewing problems in the light of the Secretary-General's report and taking action thereon.

The draft resolution recommended by the Committee (E/2251) was considered by the Council at its 603rd plenary meeting on 13 June. The Council also considered four amendments:

(1) An amendment by France (E/L.357), which would add to the draft resolution requests to the Secretary-General and to UNESCO to undertake certain studies, similar to the proposal made also by France in connexion with the question of false and distorted news.¹²³ The representative of France, however, later withdrew this proposal.

(2) An amendment by Uruguay, which would have the Council recommend that an agenda item "Freedom of Information: Measures to ensure its implementation" should be included in the agenda for 1953. The Uruguayan amendment would also have the Council recommend to the Secretary-General that Member Governments be consulted as to the advisability and usefulness of adopting international conventions on freedom of information, including the Convention on the International Right of Correction.¹²⁴ This amendment was rejected by the Council by 8 votes to 5, with 5 abstentions.

(3) A joint amendment by Belgium, France and the United States (E/L.359), calling for the appointment of a rapporteur for a trial period of one year and similar to the proposal introduced into the Social Committee by the United States (E/AC.7/L.115).

(4) An oral amendment by Egypt to the joint amendment by Belgium, France and the United States, which would add to the persons and organizations with whom the rapporteur would be requested to co-operate, "the professional organizations, both national and international." The amendment was accepted by the sponsors of the joint draft amendment.

The Council adopted the joint draft amendment, as amended, by 12 votes to 3, with 3 abstentions, after having adopted separately, by 10 votes to 4, with 4 abstentions, those parts of the amendment dealing with the decision to appoint a rapporteur and the nature of his requested report. By this resolution (442 C (XIV)) the Council decided to appoint for an experimental period of one year, and in a personal capacity, a rapporteur on matters relating to freedom of information and to request him, in co-operation with the Secretary-General, the specialized agencies, particularly UNESCO, and the professional

organizations concerned, to prepare for the Council in 1953 a substantive report covering major contemporary problems and developments in the field of freedom of information, together with recommendations regarding practical action which might be taken by the Council to surmount those obstacles to the fuller enjoyment of freedom of information which could be surmounted at the present time. The Council also decided to include in its agenda for 1953 an item on freedom of information for the purpose of reviewing and taking appropriate action on problems of freedom of information in the light of the rapporteur's report.

At its 660th meeting, on 25 July 1952, the Council elected Salvador P. Lopez (Philippines) rapporteur on matters relating to freedom of information.

The Council's recommendations were considered by the General Assembly at its seventh session, when, at the 429th meeting of the Third Committee on 1 November, Australia, Belgium, Denmark, Greece, the Netherlands, Norway and Sweden submitted a draft resolution (A/C.3/L.260) which would note the decision of the Council in resolution 442 C (XIV) and would decide to consider further at the eighth session of the Assembly the problem of promoting and safeguarding freedom of information after the Council had examined the rapporteur's report.

Egypt, Lebanon and the Philippines also submitted a draft resolution (A/C.3/L.259) noting the interest of the Assembly in problems of freedom of information, requesting the Secretary-General to communicate the records of the Third Committee on the subject of freedom of information to the Council and further inviting the Council to submit to the Assembly at its eighth session a statement of its views and plans regarding future work in connexion with freedom of information.

Subsequently Australia, Belgium, Denmark, Greece, Lebanon, the Netherlands, Norway, the Philippines and Sweden submitted a joint draft resolution (A/C.3/L.265) covering those parts of the above proposals relating to the future work of the United Nations in the field of freedom of information. The reference in the draft resolution by Australia, Belgium, Denmark, Greece, the Netherlands, Norway and Sweden (A/C.3/L.260) to technical assistance was later embodied in a separate proposal (see above).

¹²³ See p. 471.

¹²⁴ See pp. 463-65.

The draft resolution and amendments were considered by the Committee at its 435th to 438th meetings, from 4 to 6 November.

Amendments to the new joint draft resolution (A/C.3/L.265) were submitted by Poland (A/C.3/L.267); Guatemala (A/C.3/L.271/Rev.2); India, Iraq, Lebanon, Mexico, Pakistan and Saudi Arabia, jointly (A/C.3/L.274); India and Saudi Arabia, jointly (A/C.3/L.275); France (A/C.3/L.276); Saudi Arabia (A/C.3/L.277/Rev.1); the United States (A/C.3/L.278); and China (A/C.3/L.280). In addition, oral suggestions were made by the Philippines.

Two of these amendments were withdrawn. The representative of Guatemala withdrew his amendment (A/C.3/L.271/Rev.2), which concerned ways and means of preventing "international informational enterprises from undertaking campaigns against particular countries" and subsequently presented it as a separate draft resolution, co-sponsored by El Salvador (A/C.3/L.281, see above). The representative of the United States also withdrew his amendment (A/C.3/L.278) seeking a change in that part of the text referring to United Nations interest in the problem of freedom of information.

The sponsors of the joint draft accepted a number of the suggested amendments and revised the joint draft (A/C.3/L.265/Rev.1). By this draft which was presented to this Committee at its 437th meeting on 6 November, the Assembly would note the decision of the Council to appoint a rapporteur and that the rapporteur had already undertaken, in co-operation with the Secretary-General, the specialized agencies, particularly UNESCO, and the professional organizations concerned, the preparation, for submission to the Council in 1953, of a substantive report covering major contemporary problems and developments in the field of freedom of information, together with recommendations regarding practical action. It would request the Secretary-General to communicate the records of the Third Committee on the subject of freedom of information to the Council. The Assembly would also decide to consider further at its eighth session the problem of promoting and safeguarding freedom of information, including the draft convention on freedom of information, after the Council had examined the rapporteur's report,¹²⁵ and invite the Council to submit to the Assembly at its eighth session a statement of its views and plans regarding future work in connexion with freedom of information.

At its 437th meeting on 6 November, the Committee voted on the following outstanding

amendments which had not been accepted by the sponsors of the joint draft resolution:

(1) An amendment by Poland (A/C.3/L.267), which, among other things, would delete three paragraphs of the preamble and one of the operative part and would, in effect, remove all reference to the rapporteur and his work, was rejected in five separate votes, ranging from 40 to 6, with 5 abstentions, to 22 to 14, with 14 abstentions.

(2) An amendment by Saudi Arabia (A/C.3/L.277/Rev.1) which would add to the preamble a paragraph stating that it was taken into consideration that the Third Committee had not studied the draft convention on freedom of information at its sixth and seventh sessions. This was adopted by the Committee by 26 votes to 2, with 21 abstentions.

(3) A joint amendment by India and Saudi Arabia (A/C.3/L.275) to delete a phrase stating that the report on freedom of information was being undertaken in order to surmount those obstacles to the fuller enjoyment of freedom of information which could be surmounted at the present time. The Committee rejected the joint draft amendment by 21 votes to 14, with 15 abstentions.

(4) An amendment by China (A/C.3/L.280) which would amend that part of the joint draft resolution in terms of which the Assembly would decide to consider further at its eighth session the problem of promoting and safeguarding freedom of information. The Chinese amendment, which sought to replace the words "in particular the draft convention on freedom of information" by the wording "including the draft convention on freedom of information", was adopted by 17 votes to 15, with 8 abstentions.

(5) An oral drafting amendment by El Salvador, which was adopted by 15 votes to 14, with 22 abstentions.

The Committee, after adopting in parts, by votes ranging from 40 to none, with 11 abstentions, to 32 to 14, with 5 abstentions, the joint draft resolution as amended, adopted it as a whole by a roll-call vote of 38 to 2, with 13 abstentions.

The draft resolution recommended by the Third Committee (A/2294) came before the General Assembly at its 403rd plenary meeting on 16 December. At the same meeting, the representative of Poland submitted a three-part amendment (A/L.126), substantially similar to that presented by his delegation in the Third Committee. The Assembly, by votes ranging from 35 to 10, with 10 abstentions, to 43 to 5, with 8 abstentions, rejected the Polish amendment and adopted, by 50 votes to none, with 7 abstentions, the draft resolution recommended by the Committee as resolution 631(VII). It read:

"The General Assembly,

"Reaffirming that freedom of information is a fundamental human right and is the touchstone of all the freedoms to which the United Nations is consecrated, the promotion of which is one of the fundamental tasks of the United Nations,

¹²⁵ See p. 477.

"Considering that in 1946 the General Assembly initiated the study in the United Nations of the problems of freedom of information and continues to take great interest in the said problems and to concern itself with them directly,

"Considering the continuing need for study, inquiry and investigation with a view to positive action for the removal of obstacles to the free flow of information,

"Considering that the Third Committee has not studied the draft Convention on Freedom of Information during the sixth and seventh sessions of the General Assembly,

"Noting the decision of the Economic and Social Council in its resolution 442 C (XIV) of 13 June 1952 to appoint, for an experimental period of one year, and in a personal capacity, a rapporteur on matters relating to freedom of information,

"Noting that the rapporteur designated by the Council has already undertaken, in co-operation with the Secretary-General, the specialized agencies, in particular the United Nations Educational, Scientific and Cultural Organization, and the professional organizations concerned, both national and international, the preparation,

for submission to the Council in 1953, of a substantive report covering major contemporary problems and developments in the field of freedom of information, together with recommendations regarding practical action which might be taken by the Council, in order to surmount those obstacles to the fuller enjoyment of freedom of information which can be surmounted at the present time,

"1. Requests the Secretary-General to communicate the records of the Third Committee on the subject of freedom of information to the Economic and Social Council, in order that they may be taken into consideration by the Council during its studies and discussions;

"2. Decides to consider further at its eighth session the problem of promoting and safeguarding freedom of information, including the draft Convention on Freedom of Information, on the basis of the rapporteur's report to the Economic and Social Council in 1953 and after the Economic and Social Council has had an opportunity to examine the rapporteur's report; and accordingly,

"3. Invites the Economic and Social Council to submit to the General Assembly at its eighth session a statement of its views and plans regarding future work in connexion with freedom of information."

M. STATUS OF WOMEN

The Commission on the Status of Women at its sixth session, held from 24 March to 5 April 1952, discussed, among other things: the political rights of women; the nationality of married women; the status of women in public and private law; educational opportunities for women; equal pay for equal work for men and women workers; economic opportunities for women; the participation of women in the work of the United Nations; communications concerning the status of women; the programme of work of the Commission; and the report of the Inter-American Commission of Women on its activities during the year (E/CN.6/190).

The report of the Commission (E/2208 and Corr.1 and Add.1) was discussed by the Economic and Social Council at its fourteenth session, at the 575th to 580th and 583rd plenary meetings on 22, 23, and 26 to 28 May 1952. The majority commended the work of the Commission. The representatives of Czechoslovakia, Poland and the USSR, however, criticized the Commission as not being fully effective.

The Council at its 583rd plenary meeting on 28 May, by 14 votes to none, with 3 abstentions, took note (445 A (XIV)) of the Commission's report.

The draft convention on the political rights of women was subsequently considered by the

General Assembly at its seventh session. The action taken on the various items mentioned above is given below.

1. Political Rights of Women

a. REPORT OF THE SECRETARY-GENERAL

The Commission had before it the Secretary-General's annual report on constitutions, electoral laws and other legal instruments relating to the franchise of women and their eligibility for public offices and functions (A/1911). The report stated that, since the fifth session of the Commission, two countries, El Salvador and Haiti, had adopted new constitutions containing provisions relating to political rights of women, but that no other changes in legal instruments relating to the subject had been brought to the attention of the Secretary-General. The Commission requested (E/2208) that future reports include an additional table showing the dates on which women in the various countries had been granted the right to vote. It also invited the Secretary-General to prepare for the next session of the Commission a report containing information received from governments designed to show the actual participation of women in the political and public life of their countries.

b. DRAFT CONVENTION ON POLITICAL RIGHTS OF WOMEN

(1) Consideration by the Commission on the Status of Women at its Sixth Session

The Commission had before it, in this connexion, a report by the Secretary-General containing comments and suggestions of twenty governments (E/CN.6/184 and Add.1 and 2) on the text of the draft convention which the Commission had adopted at its fifth session and which had been circulated to governments in accordance with Council resolution 385 B (XIII).¹²⁶ The Commission noted that several governments had commented favourably on the text and had agreed that a convention on political rights of women was desirable in order to promote full equality for women in the field of political rights, particularly in countries where women have not yet been granted the right to vote. Particular importance was attached to the fact that it provided, *inter alia*, for the right of women to be appointed to all public offices and functions.

The Commission, following the adoption of minor drafting changes, forwarded the draft convention to the Council and proposed (E/2208 B) that the Council recommend that the Assembly open the convention for signature and ratification by Member States. The draft convention contained a preamble and three substantive articles.

(2) Consideration by the Economic and Social Council at its Fourteenth Session

During the debate in the Council the representatives of Egypt and Sweden expressed the view that the convention duplicated the work of the covenants on human rights and that there was no need for two instruments dealing with the same subject. Moreover, the representative of Egypt considered that it was not the function of the Commission, though competent, to draft the convention.

The representatives of Cuba and the United States, however, pointed out that this convention would probably come into force before the proposed covenants on human rights. The guarantee of equal political rights, they stated, should not be delayed on the grounds that the principle would be contained in the human rights covenants. The representative of Belgium, while supporting the draft convention, had reservations with regard to its application in Belgium's overseas territories. The customs, traditions and degree of evolution of the indigenous population were such, he said, that complete equality could not be imposed at once.

The representative of Czechoslovakia stated that it was useless to guarantee equality between men and women in cases where political rights

existed only in theory. The convention, he said, would be without value unless the USSR amendments (E/L.325 — see below) were adopted.

The representative of Sweden submitted a substitute draft resolution (E/L.329) which, *inter alia*, would have requested the Commission on Human Rights to embody pertinent provisions in its draft covenants on human rights, instead of adopting another convention. However, he subsequently withdrew the text.

The USSR amendments (E/L.325) provided for the addition of a statement in each of the three articles that there would be no discrimination of any kind on grounds of race, colour, nationality, social position, property, language or religion. The representatives of Sweden and the United States opposed these amendments, primarily because they considered that the convention had been intended to deal with discrimination against women and not with every other possible type of discrimination. The Council rejected these amendments by separate votes of 8 to 5, with 3 abstentions.

The USSR also proposed that article 2 should be further amended to provide that women would be eligible for election to all publicly elected bodies, governmental or public, central or local.... This was rejected by the Council by 6 votes to 5, with 6 abstentions. Finally, the USSR amendment proposed two new articles to state that (1) States participating in the Convention assumed the obligation to take all the necessary action, including legislative action, to guarantee to all women the effective possibility of exercising the rights provided for in the preceding articles; and (2) that these States assumed the obligation to publish the provisions of the convention within the shortest possible time in all the territories under their jurisdiction, including Non-Self-Governing and Trust Territories.

The representative of Uruguay had presented an amendment (E/L.332) to the USSR amendment to broaden the scope of the first of the proposed new articles and to ensure that the Secretary-General would be kept informed of government action to implement the convention. However, he stated that since the Belgian representative, among others, had pointed out that a similar amendment had been rejected in the Commission because it might hinder the ratification of the convention, he would withdraw his amendment and would support the draft convention as proposed by the Commission.

¹²⁶ For text, see Y.U.N., 1951, pp. 514-15.

The new articles proposed by the USSR were rejected by the Council by 7 votes to 6, with 3 abstentions, and 8 votes to 5, with 4 abstentions.

The Council also rejected by 7 votes to 1, with 9 abstentions, an Egyptian proposal (E/L.323) to forward to the Assembly the text of the preamble, deleting the substantive articles. It adopted by 11 votes to none, with 6 abstentions, and 9 votes to none, with 6 abstentions, two United States amendments (E/L.33) of form.

The Commission's draft resolution, as amended, was adopted (445 B (XIV)) by a roll-call vote of 11 to none, with 6 abstentions, one delegation not being represented at the time of the vote. The voting was as follows:

In favour: Argentina, Belgium, China, Cuba, France, Mexico, Pakistan, Philippines, Sweden, United States, Uruguay.

Against: None.

Abstaining: Canada, Czechoslovakia, Egypt, Poland, USSR, United Kingdom.

Absent: Iran.

In explaining his vote, the French representative indicated that, although he had certain reservations, he had not wished to give the impression that his delegation was opposed to the principles of the Convention and had therefore voted for it. The Polish representative had abstained since he considered the draft convention incomplete and unsatisfactory. The representatives of the United Kingdom and Canada also explained their abstentions on the ground that, while they doubted the utility of the draft convention, they did not wish to impede it in any way. The latter also pointed out that in a Federal State, such as Canada, it might present legal difficulties.

In its resolution, the Council, considering the time appropriate for an international convention to eliminate all discrimination against women in the field of political rights, requested the Secretary-General to draft the necessary formal clauses and recommended that the Assembly open for signature and ratification a convention embodying a preamble and substantive clauses. The latter would provide that women would be entitled, on equal terms with men: to vote (article 1); to be elected to publicly elected bodies established by national law (article 2); and to hold public office and to exercise all public functions established by national law (article 3).

(3) Consideration by the General Assembly at its Seventh Session

The General Assembly considered the draft Convention at the 474th to 481st meetings of its Third Committee from 12 to 17 December and

at its 408th and 409th plenary meetings on 20 December 1952.

(a) CONSIDERATION BY THE THIRD COMMITTEE

The Committee had before it a note by the Secretary-General (A/2156) containing the text of the Council's resolution and the preamble and substantive clauses of the draft Convention. It also had before it a memorandum by the Secretary-General (A/2156/Add.1) containing, inter alia, the draft formal clauses prepared by him at the Council's request.

The Committee decided not to have a general debate on the subject, but that members might comment on the draft convention in connexion with the consideration of the draft resolutions and the amendments before it.

The majority of the Committee were strongly in favour of a convention on political rights of women and approved the simple form of the proposed substantive articles. The representative of Egypt, however, considered that the convention was unnecessary in view of the fact that an article to the same effect had been proposed for inclusion in the human rights draft covenant on civil and political rights. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR, the USSR and Yugoslavia felt that the wording of the draft convention was not strong enough and that it would therefore remain an instrument of a declaratory nature. The USSR again submitted several amendments (A/C.3/L.327/Rev.1),¹²⁷ substantially the same as those submitted in the Council and the same arguments were advanced for and against them (see above).

The Committee had before it a joint draft resolution submitted by Bolivia, Cuba, Denmark, Dominican Republic, France, Norway and Sweden (A/C3/L.330) which would provide that the Assembly open the attached convention for signature and ratification. The text of the convention, as attached, included the preamble and substantive clauses as proposed by the Economic and Social Council (A/2156).

The formal clauses proposed differed specifically from those proposed by the Secretary-General (A/2156/Add.1) in that the sponsors of the draft resolution had not included a colonial clause.

The majority of the Committee felt that some provision should be made for extending the convention to Non-Self-Governing Territories and

¹²⁷ Originally submitted as A/C.3/L.327 and A/C.3/L.328.

amendments were submitted to this effect (see under article 8, below).

The Secretary-General had also proposed three possible reservation clauses: the first would provide for reservations at the time of signature and permit subsequent withdrawal of these reservations; the second would permit signature, ratification or accession conditional upon enumerated reservations; and the third would provide that the Secretary-General would communicate the text of reservations made at the time of signature, ratification or accession to all States which were or might become parties to the convention. Any State thus objecting to the reservation might then notify the Secretary-General and in such cases the convention would not enter into force between such State and the State making the reservation. The sponsors of the draft resolution had chosen the third to include in the draft convention.

The action taken by the Committee on the individual articles of the draft Covenant is summarized below.

Preamble

A drafting amendment by the Netherlands to the second paragraph of the preamble (A/C.3/L.329/Rev.2) was adopted by 37 votes to 2, with 10 abstentions.

Articles 1—3 (Substantive Clauses)

The USSR proposed (A/C.3/L.327/Rev.1) to amend articles 1 to 3 by adding in each instance the words "without any discrimination on the grounds of race, colour, national or social origin, property status, language or religion."

The Committee voted first on an Afghanistan sub-amendment (A/C.3/L.331) to delete the words "national or" from the USSR amendment and rejected it by 12 votes to 7, with 32 abstentions. It considered the USSR amendment to each article separately.

Article 1

The words "without any discrimination" were voted on separately and adopted by 13 votes to 12, with 21 abstentions; the remainder of the phrase proposed by the USSR was rejected by 19 votes to 9, with 21 abstentions.

Article 1, as amended, was adopted by 31 votes to 1, with 16 abstentions.

Article 2

The words "without any discrimination" were adopted by 17 votes to 16, with 17 abstentions; no vote was taken on the remainder of the USSR amendment.

A USSR amendment (A/C.3/L.327/Rev.1) providing that women would be eligible for election to all publicly elected State and public bodies, both central and, local, was rejected by 20 votes to 7, with 22 abstentions, and by 15 votes to 9, with 23 abstentions.

Article 2, as amended, was adopted by 32 votes to 2, with 16 abstentions.

Article 3

The Committee decided by 20 votes to 11, with 16 abstentions, not to include the words "without any discrimination". The USSR amendment was voted on as a whole and was rejected by a roll-call vote of 27 to 7, with 17 abstentions.

Several representatives, among them those of Brazil, Denmark, France, Greece, Guatemala, India, Israel, Mexico, New Zealand, Pakistan, the Philippines, Sweden and the United States, expressed their understanding that the terms "public office" and "public functions" in article 3 did not include military service for women and this interpretation was not questioned.

Some representatives, among them those of Pakistan and the United States, were of the opinion that the expressions of "public office" and "public functions" were basically the same in meaning and therefore repetitions. However, the majority felt that the two terms had different meanings and that it was unlikely that any single term expressing both ideas adequately in all official languages could be found.

Article 3 was adopted by 37 votes to none, with 11 abstentions.

Articles 4—11 (Formal Clauses)

Articles 4, 5 and 6 concerning Signature and Ratification, Accession, and Entry into Force, were adopted, respectively, by 44 votes to none, with 2 abstentions, 46 votes to none, with 2 abstentions, and by 47 votes to none, with 3 abstentions.

Article 7 (Reservations)

The representative of Mexico considered that the convention was not an instrument under which States had reciprocal obligations and therefore the second part of the proposed article (providing for the notification and effect of objections to reservations) in his opinion needlessly complicated the article and made it impossible to apply in practice. At his request the article was voted on in two parts.

The first part was adopted by 32 votes to 2, with 14 abstentions, and the second part by 26 votes to 7, with 17 abstentions.

Article 7, as a whole, was adopted by 32 votes to 3, with 14 abstentions.

Article 8 (new) (Colonial Clause)

The USSR proposed a new article (A/C.3/L.327/Rev.1), as it had previously in the Economic and Social Council, providing for the immediate extension of the rights of the convention to all Non-Self-Governing Territories. This was rejected by the Committee by 14 votes to 14, with 16 abstentions.

The representatives of Afghanistan, India, Iraq and Yugoslavia jointly proposed (A/C.3/L.332) an article to provide that the convention be automatically extended to all territories—Non-Self-Governing, Trust or colonial.

Since the majority opposed this proposal either on the grounds that some territories were not yet ready for the extension of such rights or because they felt such a provision would prohibit a number of States from ratifying the convention, the representative of India withdrew as a sponsor and submitted a compromise proposal (A/C.3/L.333). This would permit States ratifying the convention to stipulate that it would not apply to certain territories and would allow these States to extend the application at a later date.

The Committee decided by a roll-call vote of 26 to 25 to vote on the Indian amendment before the joint amendment. It was adopted by a roll-call vote of 28 to 17, with 6 abstentions, following the rejection by 26 votes to 21, with 4 abstentions, of a Yugoslav sub-amendment to delete the provision permitting States to stipulate that the Convention would not apply to certain territories.

Article 9²⁸ (Denunciation and Abrogation)

This article was adopted by 43 votes to none, with 5 abstentions.

Article 10¹²⁸ (Settlement of Disputes)

The Mexican representative stated that the convention was a matter for domestic policy and not a subject for international dispute, and proposed that the article be deleted. His proposal was rejected by 24 votes to 10, with 15 abstentions.

A Netherlands oral proposal to provide for the settlement of disputes arising from interpretation only and not also from application was rejected by 22 votes to 5, with 21 abstentions.

A proposal by the USSR (A/C.3/L.327/Rev.1) which would submit any dispute to arbitration by agreement between the countries concerned, rather than to the International Court of Justice, was rejected by 28 votes to 8, with 12 abstentions.

Article 10 was adopted by 27 votes to 15, with 6 abstentions.

Article 11¹²⁸ (Notifications)

This article was adopted by 47 votes to none, with 3 abstentions, subject to the addition of drafting changes made necessary by the adoption of certain amendments.

Article 12¹²⁸ (Deposit)

This article was adopted by 46 votes to none, with 4 abstentions.

As in the Council, the USSR proposed a new article (A/C.3/L.327/Rev.1) which would provide for the adoption of measures, including legislative, to ensure the exercise of the rights provided in the Convention. This was rejected by 20 votes to 15, with 14 abstentions.

The amended draft convention was adopted, as a whole, by a roll-call vote of 35¹²⁹ to none, with 11 abstentions, at the Committee's 480th meeting on 17 December (A/2334). The draft resolution accompanying it was adopted by 40¹²⁹ votes to none, with 6 abstentions (for text, with minor changes, see below).

(b) CONSIDERATION BY THE GENERAL ASSEMBLY IN PLENARY SESSION

The General Assembly considered the report of its Third Committee (A/2334) containing the draft convention at its 408th and 409th plenary meetings on 20 December 1952.

The President ruled at its 409th meeting that the draft resolution and draft convention constituted a question of importance under rule 84 of the rules of procedure, and that a two-thirds

majority vote would therefore be required for the adoption of any proposal.

The Assembly had before it several amendments to the convention recommended by the Third Committee.

One, a joint amendment submitted by France and Greece (A/L.140), would eliminate from articles 1 and 2 the words "without any discrimination" which had been inserted by the Third Committee. This was supported by the representatives of China, Cuba, Ecuador and the United States, among others, on the grounds that the phrase was repetitious, confusing and would add nothing to the benefits of the Convention. The joint amendment was rejected by a roll-call vote of 24 to 23, with 8 abstentions, as follows:

In favour: Australia, Belgium, Canada, China, Cuba, Denmark, Ecuador, El Salvador, France, Greece, Iceland, Mexico, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Sweden, Thailand, Turkey, United Kingdom, United States.

Against: Afghanistan, Argentina, Burma, Byelorussian SSR, Colombia, Czechoslovakia, Dominican Republic, Egypt, Ethiopia, Guatemala, Haiti, Honduras, Indonesia, Iran, Iraq, Liberia, Nicaragua, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Uruguay, Yugoslavia.

Abstaining: Bolivia, Brazil, India, Israel, Lebanon, Pakistan, Philippines, Venezuela.

A second amendment by Indonesia (A/L.138) would instead add the words "without any discrimination" to article 3 to bring the first three articles into conformity, and to prevent a difference in interpretation. The Assembly adopted this by a roll-call vote of 38 to 2, with 16 abstentions, as follows:

In favour: Afghanistan, Argentina, Bolivia, Burma, Byelorussian SSR, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Egypt, Ethiopia, France, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, New Zealand, Norway, Pakistan, Panama, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Uruguay, Venezuela, Yugoslavia.

Against: Mexico, Paraguay.

Abstaining: Australia, Belgium, Brazil, Ecuador, Greece, Iceland, Netherlands, Nicaragua, Peru, Philippines, Sweden, Thailand, Turkey, United Kingdom, United States, Yemen.

The USSR representative, supported by the representatives of the Byelorussian SSR, Czechoslovakia, Poland and the Ukrainian SSR, also re-introduced (A/L.137) the amendments put forward in the Council and in the Committee.

¹²⁸ Formerly articles 8, 9, 10 and 11.

¹²⁹ At the 481st meeting of the Committee, the representative of Afghanistan, having received the necessary instructions from his Government, stated his wish to cast an affirmative vote for the draft resolution and draft convention.

The Assembly rejected the USSR proposal to add to articles 1 to 3 the words "without any discrimination on the grounds of race, colour, national or social origin, property status, language or religion" by 27 votes to 6, with 15 abstentions, 31 votes to 7, with 16 abstentions, and 31 votes to 7, with 16 abstentions, respectively. The further amendment to article 2 specifying that women would be eligible for election to all publicly elected State and public bodies, both central and local, was rejected by 26 votes to 5, with 20 abstentions.

The new articles proposed by the USSR, concerning the adoption of legislative measures and the extension of the convention to Non-Self-Governing Territories (see above), were rejected in a single vote of 29 to 8, with 14 abstentions. The USSR amendment to article 10 on the arbitration of disputes was rejected by 35 votes to 7, with 11 abstentions.

A number of representatives, among them those of Guatemala, Lebanon and Iraq, regretted that the compromise colonial clause (article 8) had been adopted, on the ground that the convention thus discriminated against a category of people.

Article 8 was voted on separately and rejected, since the vote of 32 in favour to 18 against, with 7 abstentions, did not constitute a two-thirds majority. The voting was as follows:

In favour: Afghanistan, Australia, Belgium, Brazil, Burma, Canada, China, Colombia, Cuba, Denmark, Ecuador, France, Greece, Haiti, Honduras, Iceland, India, Israel, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela.

Against: Byelorussian SSR, Czechoslovakia, Egypt, Ethiopia, Guatemala, Indonesia, Iran, Iraq, Lebanon, Liberia, Pakistan, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Yemen, Yugoslavia.

Abstaining: Argentina, Bolivia, Chile, Dominican Republic, El Salvador, Mexico, Philippines.

A separate vote was also requested on article 7 (Reservations) and it was adopted by 35 votes to 2, with 14 abstentions.

An amendment by France and Greece (A/L.140) to the draft resolution providing that the convention be opened for signature and ratification at the end of the present session rather than during December 1952 was adopted by 36 votes to 1, with 12 abstentions.

The draft resolution and annexed draft Convention, as a whole and as amended, were adopted by the Assembly at its 409th plenary meeting on 20 December 1952 by a roll-call vote of 46 to none, with 11 abstentions, as resolution 640 (VII). The voting was as follows:

In favour: Argentina, Australia, Belgium, Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iraq, Israel, Lebanon, Liberia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Sweden, Syria, Thailand, Turkey, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia.

Against: None.

Abstaining: Afghanistan, Byelorussian SSR, Czechoslovakia, Ecuador, Egypt, Iran, Poland, Saudi Arabia, Ukrainian SSR, USSR, Yemen.

The USSR representative stated that she had abstained because of the shortcomings of the Convention which her amendments had been designed to rectify. The Yugoslav representative felt that the convention represented a step forward and had therefore voted for it as a whole.

The resolution and the annexed Convention read:

"The General Assembly,

"Considering that the peoples of the United Nations are determined to promote equality of rights of men and women, in conformity with the principles embodied in the Charter,

"Believing that an international convention on the political rights of women will constitute an important step toward the universal attainment of equal rights of men and women,

"Reaffirming its resolution 56(I) of 11 December 1946,

"Decides to open the attached Convention for signature and ratification at the end of the present session."

ANNEX

CONVENTION ON THE POLITICAL RIGHTS OF WOMEN

The Contracting Parties,

Desiring to implement the principles of equality of rights for men and women contained in the Charter of the United Nations,

Recognizing that everyone has the right to take part in the government of his country directly or through freely chosen representatives, and has the right to equal access to public service in his country, and desiring to equalize the status of men and women in the enjoyment and exercise of political rights, in accordance with the provisions of the Charter of the United Nations and of the Universal Declaration of Human rights,

Having resolved to conclude a Convention for this purpose,

Hereby agree as hereinafter provided:

ARTICLE I

Women shall be entitled to vote in all elections on equal terms with men, without any discrimination.

ARTICLE II

Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination.

ARTICLE III

Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination.

ARTICLE IV

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 addressed 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 V

1. This Convention shall be open for accession to all States referred to in paragraph 1 of article IV.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

ARTICLE VI

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 VII

In the event that any State submits a reservation to any of the articles of this Convention at the time of signature, ratification or accession, the Secretary-General shall communicate the text of the reservation to all States which are or may become parties to this Convention. Any State which objects to the reservation may, within a period of ninety days from the date of the said communication (or upon the date of its becoming a party to the Convention), notify the Secretary-General that it does not accept it. In such case, the Convention shall not enter into force as between such State and the State making the reservation.

ARTICLE VIII

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 IX

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 X

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 IV of this Convention of the following:

(a) Signatures and instruments of ratification received in accordance with article IV;

(b) Instruments of accession received in accordance with article V;

(c) The date upon which this Convention enters into force in accordance with article VI;

(d) Communications and notifications received in accordance with article VII;

(e) Notifications of denunciation received in accordance with paragraph 1 of article VIII;

(f) Abrogation in accordance with paragraph 2 of article VIII.

ARTICLE XI

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 IV.

(e) INFORMATION CONCERNING THE STATUS OF WOMEN IN TRUST TERRITORIES

The Commission had before it a report on the status of women in Trust Territories (E/CN.6/182), a report on the status of women in Non-Self-Governing Territories (E/CN.6/183) and supplementary information concerning family law in Non-Self-Governing Territories (E/CN.6/159/Add.1 and 2), prepared by the Secretary-General.

The Commission decided to draw the attention of the Council to certain customs, which violated the physical integrity of women, and which were widely practised on young girls in certain areas of the world, including some of the Trust and Non-Self-Governing Territories.

The Commission recommended (E/2208 C) that the Council adopt a resolution inviting the Trusteeship Council and Member States responsible for the administration of the Territories to take immediate action with a view to abolishing in Trust Territories and Non-Self-Governing Territories all customs which violate the dignity and security of persons. The resolution would also request the Trusteeship Council to include the necessary questions in the questionnaires, as well as to include in its annual report to the Assembly pertinent information received from Administering Authorities. During the discussion in the Council, the majority condemned the practices referred to by the Commission and agreed that all

possible steps should be taken to abolish them. The representative of Belgium stressed that action would have to be taken progressively. Immediate abolition would scarcely be practicable, since these practices were closely linked to religious customs that had been firmly established for centuries. He therefore submitted an amendment to this effect (E/L.334).

The representatives of France and the United Kingdom submitted a joint amendment (E/L.326/Rev.1) to the resolution proposed by the Commission to invite all States to abolish such customs rather than limiting the recommendation to certain countries. They also considered that the last paragraph (see above) should be omitted since it was inappropriate for the Economic and Social Council to concern itself with procedural questions of the Trusteeship Council.

The representative of Cuba submitted an amendment designed to clarify the draft resolution by referring separately to the Trust and Non-Self-Governing Territories, instead of making a joint recommendation concerning them.

The Belgian, French-United Kingdom and Cuban amendments were subsequently withdrawn in favour of a joint draft resolution (E/L.336) by Belgium, Cuba and the United Kingdom, incorporating the above points of view and replacing the draft resolution recommended by the Commission. The representative of Poland, however, took over the Cuban amendment, submitting it as an amendment to the new text. It was subsequently rejected by 8 votes to 3, with 6 abstentions.

The representatives of Mexico, the Philippines and Uruguay stressed that, although progressive action was needed, it was essential to initiate that action immediately. The representative of the Philippines therefore presented an amendment (E/L.344) to that effect which was accepted by the sponsors of the joint draft resolution.

They also accepted an Argentine proposal (E/L.346) to address the draft resolution to all States rather than simply to Member States.

The representatives of Poland and the USSR stated that the speed of implementation was of fundamental importance and therefore unless the words calling for progressive action were deleted they could not vote for the resolution. An oral USSR amendment to this effect was rejected by the Council at its 583rd meeting on 28 May by 6 votes to 4, with 7 abstentions.

The Council rejected by 7 votes to 7, with 3 abstentions, an oral amendment by Pakistan to refer to the violation of the physical integrity of women as a violation of dignity. It unanimously

adopted a proposal by Cuba to recognize that there are areas where women are deprived of certain essential human rights, including the right to their physical integrity and moral dignity.

The draft resolution, as amended, was adopted by the Council by 14 votes to none, with 3 abstentions, as resolution 445 C (XIV). The representatives of Poland and the USSR stated that they had abstained because they found it less satisfactory than the text proposed by the Commission.

The resolution read:

"The Economic and Social Council,

"Considering that one of the purposes of the United Nations is to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

"Considering that there are areas of the world, including certain Trust and Non-Self-Governing Territories, where women are deprived of certain essential human rights, including the right to their physical integrity and moral dignity,

"1. Invites all States, including States which have or assume responsibility for the administration of Non-Self-Governing Territories, to take immediately **all** necessary measures with a view to abolishing progressively in the countries and territories under their administration all customs which violate the physical integrity of women, and which thereby violate the dignity and worth of the human person as proclaimed in the Charter and in the Universal Declaration of Human Rights;

"2. Invites the Trusteeship Council, in collaboration with the Administering Authorities, to take immediately all appropriate measures to promote the progressive abolition of such customs in Trust Territories, and to consider the inclusion of the necessary questions in the questionnaires provided for in Article 88 of the Charter as well as the inclusion of the pertinent information received from Administering Authorities in its annual report to the General Assembly;

"3. Invites the General Assembly to request the Committee on Information from Non-Self-Governing Territories to take paragraph 1 above into account in its examination of the information transmitted under heading C of part III of the Standard Form for the guidance of Members in the preparation of information to be transmitted under Article 73 e of the Charter adopted by the General Assembly on 7 December 1951 under resolution 551 (VI)."

2. Nationality of Married Women

At its sixth session the Commission noted that the International Law Commission had included the item of "Nationality including statelessness" in the agenda of its fourth session¹³⁰ and that it intended to deal with the convention on nationality of married women in connexion with this item. It noted that the report of the International Law Commission's special rapporteur on "Nationality including statelessness" (A/CN.4/50) contained a draft convention on nationality of married per-

¹³⁰See p. 795.

sons which followed closely the principles formulated by the Commission on the Status of Women at its fourth session. The Commission expressed (E/2208) its satisfaction at the action taken by the various organs of the United Nations to implement its recommendations concerning the nationality of married women.

3. Status of Women in Public Law

The Secretary-General submitted to the Commission at its sixth session supplementary reports on women in public services and functions (E/CN.6/157/Add.1) and on civil liberties for women (E/CN.6/158/Add.1 and 2). The Commission adopted a resolution (E/2208) in which it noted that certain discriminations against women were apparent in the Commission's studies. It expressed the belief that there was a need for a publication designed to help Member States and their citizens become familiar with their comparative situation in regard to discrimination against women, so that they might lay the basis for constructive and practical action. The Commission therefore requested the Secretary-General to prepare a simplified summary, in narrative form, of significant discriminations against women apparent in the information available from governments, non-governmental organizations and other sources, and to present this draft summary to the next session of the Commission for comments and suggestions, looking toward publication at an early date.

4. Status of Women in Private Law

The Commission had before it a report of the Secretary-General on the Status of Women in Family Law (E/CN.6/185 and Add.1 and 2) based on replies of governments to part III of the questionnaire on the legal status and treatment of women as well as a report on the Status of Women in Private Law (E/CN.6/186 and Add.1) based on replies from non-governmental organizations as to changes considered desirable in the various legal systems in order to eliminate discrimination against women. Members of the Commission felt that the number of replies so far received by the Secretary-General from governments was not sufficient to enable the Commission to undertake the discussion of this important subject. The Commission therefore decided to postpone the consideration of this item until its seventh session and to give to this question first priority in its programme of future work.

5. Educational Opportunities for Women

a. ACCESS OF WOMEN TO EDUCATION

The Commission had before it a report prepared by UNESCO (E/CN.6/191) outlining that organization's current activities and future plans with regard to the education of women and containing in an annex statistical data on enrolment and percentage of girls in schools on various levels.

The representative of UNESCO informed the Commission that the programme of work was divided into four main parts: general education at all levels; fundamental and adult education; education for citizenship at national and international levels; and technical and professional education. She also informed the Commission of the forthcoming Fifteenth International Conference on Public Education, at which the subject would be discussed.

Some members of the Commission felt that the question of access of women to education in a country depended upon the level of general culture of that country and was closely linked to the question of political, economic and social equality of women. They felt that the work accomplished by UNESCO was not sufficient and that its results were not entirely satisfactory from the standpoint of achieving equality for women in the field of education. Some others deplored the slow pace of progress achieved in the raising of educational standards among women.

Some members indicated that due account should be taken of geographical factors and different levels of economic development when education was considered on a world-wide basis. One member criticized the theory of geographical factors as being non-scientific.

Several representatives stressed the importance of education in citizenship and some expressed the wish that UNESCO should organize a programme of political education for men along the lines of that outlined for women in the conclusions of the report prepared by UNESCO (E/CN.6/191).

The Commission adopted a resolution (E/2208) expressing its appreciation to UNESCO for its continued assistance in the study of educational opportunities for women and girls. It noted the UNESCO programmes for promotion of equality of access for girls and women at all levels of education and requested the Secretary-General to continue to seek the collaboration of

the Director-General of UNESCO on these questions and to report to the next session of the Commission. The Commission expressed the wish to have information as to legal obstacles which might exist in the legal systems of various countries to prevent free access of girls and women to education and requested the Secretary-General to prepare a report on this subject for submission to its next session.

b. VOCATIONAL GUIDANCE AND VOCATIONAL AND TECHNICAL EDUCATION OF WOMEN

The Commission had before it a report by ILO on this subject (E/CN.6/178 and Corr.1). The representative of ILO, in giving a brief analysis of the report, stated that in the opinion of his organization the available openings for employment were dictated largely by a country's economic conditions. However, the provisions made for women to obtain vocational and educational training, and to enter skilled trades were inadequate, even in economically developed countries. She also stressed that women could not take advantage of opportunities for technical and vocational training, however abundant, unless they had, to the same extent as men, first received a good general education as well as sound vocational guidance.

The question whether all careers, trades and professions should be opened to women gave rise to considerable debate. Some members felt that the opening of all trades, careers and professions to women was inconsistent with protective legislation for women workers; others stated that equality did not necessarily imply identity of treatment and that it was the duty of the Commission to take the lead and to proclaim the principle of equality of access of women to all jobs. The latter opinion prevailed and the Commission proposed (E/2208 D) that the Council adopt a resolution including a statement of principle and recommending that governments:

(1) guarantee women the right to work on an equal footing with men; (2) guarantee girls and women access to all forms of training and apprenticeship; (3) take all possible measures to ensure provision of adequate facilities and opportunities for vocational training and guidance for all workers without regard to sex; (4) promote such opportunities for women; and (5) bear in mind the needs of women in making requests for technical assistance to the United Nations and the specialized agencies to develop vocational guidance and vocational and technical education.

During the discussion in the Council, the representatives of Belgium, Pakistan, Sweden, the United Kingdom and the United States put forward the view that governments in a free economy

did not have the constitutional power to guarantee women the right to work on an equal footing with men. They thought it would be preferable to recommend that governments take all possible measures to ensure to women the exercise of this right. Accordingly, the representatives of Sweden and the United States submitted a joint amendment (E/L.328) to this effect. The representatives of Cuba, Poland and the USSR emphasized the importance of guaranteeing women the right to work on an equal footing with men and thought that the Council was not entitled to modify the idea expressed by the Commission.

The joint amendment was adopted by paragraphs at the Council's 578th plenary meeting on 26 May 1952 by votes varying from 10 to 1, with 6 abstentions, to 12 to 3, with 2 abstentions. The draft resolution, thus amended, was adopted unanimously as resolution 445 D (XIV), the representatives of Cuba and the USSR stating that they had voted for it because, even as amended, it would have some value.

The resolution read:

"The Economic and Social Council,

"Recognizing the increasingly important and permanent place being taken by women in the economic and industrial life of many countries,

"Believing that there should be equal opportunity for men and women to participate in the economic life of their countries,

"Believing also that the principle of equality of opportunity for men and women with respect to vocational training is therefore of great immediate importance to the economic development of the various countries,

"Recognizing further the importance of improving the economic status of women while raising their political and social status in all countries,

"Agreeing that equality of opportunity is possible only if there is, *inter alia*, equal access to education for boys and girls from primary school onwards,

"1. Invites the International Labour Office to collect information as to the extent to which girls and women are excluded from apprenticeship to certain trades by trade unions, by employers or by legal restriction, and to lay this information before the Commission on the Status of Women at the earliest opportunity;

"2. Recommends that governments:

"(a) Take all possible measures to ensure the right of women to work on an equal footing with men;

"(b) Take all possible measures to ensure provision of adequate facilities and opportunities for vocational training and guidance for all workers without regard to sex, and to give girls and women access to all forms of training and apprenticeship;

"(c) Bear in mind the needs of women in making requests for technical assistance to the United Nations and the specialized agencies to develop vocational guidance and vocational and technical education."

6. Equal Pay for Equal Work

The Commission had before it a report prepared by the Secretary-General (E/CN.6/179) describing the proceedings and action taken by the International Labour Conference at its 34th session held in June 1951.¹³¹

In the course of the Commission's debate several members expressed their satisfaction at the adoption by the Conference of a Convention and a Recommendation on equal remuneration for work of equal value for men and women workers. Others felt, however, that the convention completely failed to protect the rights of women workers and that it contained loopholes permitting governments to avoid its implementation. It was pointed out in this connexion that the provisions of the convention did not extend to certain Non-Self-Governing Territories.

The Commission adopted a resolution (E/2208 E) expressing regret that women workers in some countries still suffered discrimination in regard to equal pay for equal work and proposing a draft resolution for adoption by the Council.

During the discussion in the Council, the representative of Egypt submitted an amendment (E/L.324) which would delete the paragraph of the Commission's draft resolution requesting the Commission on Human Rights to include an article to provide for the principle of equal remuneration for equal work for men and women workers in the covenants on Human Rights, since such an article already had been included. He withdrew this amendment, however, in favour of an oral Cuban proposal to have the Council note with satisfaction that the Commission on Human Rights had done this. The revised paragraph was adopted by 13 votes to none, with 4 abstentions.

The remaining paragraphs of the draft resolution were adopted at the Council's 576th meeting on 23 May in votes varying from 10 to none, with 6 abstentions, to 11 to none, with 6 abstentions. The amended draft resolution, as a whole, was adopted by 11 votes to none, with 6 abstentions, as resolution 445 E (XIV). The representative of the USSR stated that he had abstained because he considered the convention and recommendation adopted by ILO inadequate.

Resolution 445 E (XIV) read:

"The Economic and Social Council,

"Considering that the principle of equal rights for men and women is solemnly proclaimed in the Preamble of the Charter of the United Nations,

"Commending the action taken by the thirty-fourth Conference of the International Labour Organisation

in June 1951, in the adoption of a convention supplemented by a recommendation on equal remuneration for men and women workers for work of equal value,

"Recognizing the effective 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 equal opportunities for training and advancement, and by promoting the adoption of legislation,

"1. Recommends that States members of the International Labour Organisation introduce as soon as possible, by means of proper legislation or other measures, equal remuneration for equal work for men and women workers, in accordance with the ILO Convention and Recommendation;

"2. Urges adoption and implementation in all countries not members of the International Labour Organisation, of the principle of equal pay for equal work without discrimination on the basis of sex;

"3. Notes with satisfaction that the Commission on Human Rights has decided to include in the covenant on economic, social and cultural rights an article which would provide for the principle of equal remuneration for equal work for men and women workers."

7. Economic Opportunities for Women

a. PART-TIME WORK FOR WOMEN

In the course of the debate in the Commission, some members stressed the importance of part-time work, particularly for married women whose household duties did not occupy all their time; others felt that a resolution on part-time work for women would furnish an argument for the opponents of full access of women to every type of employment. The representative of ILO stated that, at a meeting of experts held in December 1951, ILO had been requested to study this question in all its aspects.

The Commission adopted a resolution (E/2208 F), which was subsequently adopted by the Council, without further discussion, at its 576th plenary meeting by 14 votes to 1, with 3 abstentions, as resolution 445 F (XIV). The Council, in this resolution, requested the Secretary-General to prepare a report for the next session of the Commission containing information from non-governmental organizations and other dependable sources, concerning the use of part-time job schedules by men and women workers, particularly by women with family responsibilities, and the areas where part-time work is of particular significance. It invited the International Labour Office to collaborate by preparing a report on part-time employment.

¹³¹ See Y.U.N., 1951, p. 867.

b. OLDER WOMEN WORKERS

During the debate on economic opportunities for women, some members of the Commission stressed the serious problem confronting older women who could no longer compete with younger applicants for employment. The problem of men in the same age brackets was also mentioned.

The representative of ILO stated that the International Labour Office would carry out a study requested by the Committee on Salaried Employees and Professional Workers in connexion with unemployment among older men and women. However, it was noted, this study had not been assigned priority.

The Commission adopted a resolution (E/2208 G) which was subsequently unanimously adopted by the Council at its 576th plenary meeting as resolution 445 G (XIV). By this resolution, the Council requested the Secretary-General to supply the Commission for its next session with any information available on the number and employment status of women as compared with men in the age brackets over 40. It invited the International Labour Office to collaborate in this study and to furnish any information it might have on older workers, including data of maximum age limits for admission to employment, retirement ages, old age insurance and pensions as established by law or practice, as well as information on plans and programmes of ILO concerning older workers.

c. WOMEN IN THE PROFESSIONS

Several members of the Commission considered that the Secretary-General should be invited, in collaboration with the non-governmental organizations and specialized agencies, to supply all information available concerning training and advancement in the liberal professions such as law, medicine, engineering, architecture, science, and teaching in institutes of higher learning. While these professions were generally open to women, women also had greater difficulty than men in advancing in them. However, the majority felt that discrimination in these fields was less pronounced than in others and the Commission decided not to undertake a study at this time.

8. Participation of Women in the Work of the United Nations

The Commission had before it a report prepared by the Secretary-General (E/CN.6/180 and Add.1 and 2) on the nature and proportion

of positions occupied by women in the United Nations Secretariat and in the secretariats of the specialized agencies, together with information available on the qualifications required for professional positions. In the course of the discussion, it was noted with regret that fewer women occupied policy-making positions in the United Nations Secretariat as compared with the previous year. Some members felt that since too few women occupied high posts in national administrations, the choice of candidates for high positions in the United Nations tended to be limited. Non-governmental organizations could do much to encourage recognition of qualified women by governments, they said. The Commission adopted a resolution (E/2208) urging the Secretary-General to continue to appoint women to senior positions in the United Nations Secretariat, as envisaged in the Charter, and to continue to report on the situation of women in the secretariats of the United Nations and the specialized agencies on an annual basis. It also requested the Secretary-General to supplement the report with information on the number and proportion of women who have served as delegates and alternates for their countries in the various organs of the United Nations, in the International Court of Justice, and in conferences of specialized agencies, since the San Francisco Conference.

9. Communications Concerning the Status of Women

In accordance with Council resolution 76(V), as amended by resolution 304 I (XI) to bring the procedure for dealing with communications concerning the status of women into line with that governing communications concerning human rights, two lists of communications, a non-confidential (E/CN.6/CR.5) and a confidential list (SW Communications No. 2) were prepared by the Secretary-General. The Commission took note of both lists.

10. Other Work

a. REPORT OF THE INTER-AMERICAN COMMISSION OF WOMEN

The Commission had before it the report of the Inter-American Commission of Women (E/CN.6/190), summarizing its activities and outlining the progress achieved as a result of the action of governments, its delegates, and women's organizations in the Americas. The Commission took note (E/2208) of the report and several

members expressed their appreciation of the part played by the Inter-American Commission of Women in promoting women's rights.

b. TRANSLATION INTO ARABIC OF A PAMPHLET ON POLITICAL EDUCATION OF WOMEN

On the recommendation of the Commission (E/2208 H), the Council at its 577th plenary meeting on 23 May 1952 by 13 votes to none, with 4 abstentions, adopted a resolution (445 H (XIV)) requesting the Secretary-General to undertake the translation into Arabic of part I of the pamphlet *Political Education of Women*¹³² and to consider making it available at a low price.

c. PROGRAMME OF FUTURE WORK

The Commission had before it a note by the Secretary-General on the review of programmes and establishment of priorities (E/CN.6/188) calling the attention of the Commission to Council resolution 325 (XI) establishing criteria for priorities, as well as to the recommendations made by the Co-ordination Committee and approved by the Council concerning the procedures for the establishment of programmes of priorities.

The Commission decided that the status of women in private law must be given high priority in its programme as must also the question of political rights, pending the adoption of a convention on political rights. The Commission adopted a programme of priorities for 1952-53 covering its whole agenda.

The Council, at its 579th plenary meeting on 26 May 1952 had before it a proposal by the USSR (E/L.322) that the Council should include as a first priority in its programme of work and

that of the Commission for 1952-53 certain questions related to:

(1) participation by women in the fight for peace; (2) measures to promote the effective exercise by women of political rights; (3) measures to help eliminate discrimination against women in the economic field, in education, in access to medical services and other benefits; and (4) measures for improving the status of women in Non-Self-Governing and Trust Territories.

Some members, among them the representatives of Egypt, the United States and Uruguay, however, pointed out that these questions were already receiving the attention of the Commission or were within the competence of other organs of the United Nations. The Council by 9 votes to 3, with 4 abstentions, adopted an oral proposal by the United Kingdom to take no action on the USSR draft resolution.

Following a review of the organization of the Economic and Social Council and its Commissions, the General Assembly (532 A (VI)) had requested the Council to reconsider its decision with a view to convening the Commission on the Status of Women for one session every year rather than every two years.

The Commission, at its sixth session, asked the Council to take into consideration the considerable extension of the scope of its activity and its increased responsibilities, and to allocate a longer time to its future sessions.

The Council at its fourteenth session had before it a draft resolution by Cuba (E/L.335) which would have the Council resolve to convene the Commission for one session every year. It adopted this proposal at its 579th plenary meeting on 26 May 1952, by 15 votes to none, with 2 abstentions, as resolution 445 I (XIV).

The Council also decided to allow three weeks for the Commission's seventh session.

N. REFUGEES AND STATELESS PERSONS

1. Assistance to Refugees

a. REPORT OF THE INTERNATIONAL REFUGEE ORGANIZATION (IRO)

The Economic and Social Council at its fourteenth session considered the fourth and final report of the International Refugee Organization (E/2211) at its 632nd to 634th plenary meetings on 7 and 8 July 1952. The report was designed to summarize the results since the passage of resolution 62(I) by the General Assembly and to bring up to date previous reports by describing the work done from 1 January 1951 until the

time the organization entered its period of liquidation on 1 March 1951.¹³³

Under the terms of General Assembly resolution 62(I) the main task of IRO had been first, to encourage and assist displaced persons to return to their country of origin; and secondly to see to it that "no refugees or displaced persons who had finally and definitely . . . expressed valid objections to returning to their countries of origin" were compelled to return there.

¹³² U.N.P., Sales No.: 1951. IV. 8.

¹³³ For an account of the work of IRO during its final period, see also Y.U.N., 1951, pp. 939-42.

Ninety per cent of the refugees registered with IRO during its period of operation had been assisted in repatriation or resettlement or had their cases otherwise closed. During the period from 1 July 1947 to 31 December 1951, the report stated, more than one million persons had been resettled in new countries and 73,000 had been repatriated to their country of origin or former domicile; the number of persons dependent on IRO for food and shelter had been reduced from 712,000 to 25,000 and a quarter of the persons remaining at the close of operations were considered to have good chances of resettlement.

The following countries had accepted more than 1,000 refugees during the life of the organization:

United States	328,851
Australia	182,159
Israel	132,109
Canada	123,479
United Kingdom	86,346
France	38,455
Argentina	32,712
Brazil	28,848
Belgium	22,477
Venezuela	17,277
Paraguay	5,887
Chile	5,108
New Zealand	4,837
Netherlands	4,355
Sweden	4,330
Bolivia	2,485
Turkey	2,358
Peru	2,340
Uruguay	1,461
French Morocco	1,446
Norway	1,105

In discussing the report, the representatives of Argentina, Belgium, Canada, China, France, Pakistan, Sweden, the United Kingdom and the United States paid warm tribute to IRO for its remarkable achievement in a great humanitarian undertaking, pointing out, in some cases, the contributions and support given by their Governments. The representatives of Czechoslovakia, Poland and the USSR, however, were of the opinion that IRO had not fulfilled the terms of its mandate and had, in effect, hindered repatriation of certain nationals. They also thought that IRO had given a distorted account of the conditions awaiting refugees in certain countries of immigration and that many refugees had found themselves in great privation and distress in their new homes. The representative of the USSR called on the Governments of the United States, the United Kingdom and France to carry out their obligation to return refugees and displaced persons to their countries of origin.

The Egyptian representative regretted that IRO's activities with regard to Palestine should

have marred an otherwise fine record. Either the agency itself or some of its personnel had made possible the clandestine entry of certain elements into Palestine, he charged. He stated that he would therefore abstain on the draft resolution, proposed by Belgium and France (E/L.395), paying tribute to the achievements of IRO.

The Council, at its 634th plenary meeting on 8 July, by 14 votes to 3, with 1 abstention, adopted this resolution noting with satisfaction the report of IRO and paid tribute to the organization's achievements (resolution 438 (XIV)).

b. REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES TO THE GENERAL ASSEMBLY

The report of the United Nations High Commissioner for Refugees (UNHCR) to the General Assembly (A/2126), covering the period from June 1951 to May 1952, dealt with the activities of the High Commissioner's Office, the refugee situation in various countries and the United Nations Refugee Emergency Fund. In the High Commissioner's view a three-point programme was necessary; first, emergency aid for the most needy groups of refugees; secondly, long-term plans of economic development to promote the assimilation of refugees; and thirdly, measures to ensure that refugees received a fair share of migration opportunities. The High Commissioner expressed concern at the continuation of certain emergency situations and at the duplication of work of agencies dealing with the refugee problem. While a beginning had been made with emergency aid, he urged increased response to his appeals for funds and hoped that Members of the United Nations in a position to contribute to a permanent solution of the refugee problem would take appropriate action.

The report also described the work of the High Commissioner's branch offices.¹³⁴ In emphasizing the importance of liaison between his office and international bodies and voluntary organizations, the High Commissioner reported that in many countries where branch offices had been established, efforts were being made to co-ordinate the activities of voluntary agencies, bringing them into closer relationship with the governments concerned.

In reviewing the situation in countries where refugees' needs remain urgent, the High Commissioner drew particular attention to Western Ger-

¹³⁴ See pp. 499-500.

many, where the refugees within his mandate were at a disadvantage because of the large number of refugees of German nationality. In Austria the problem was so grave that, in spite of the many obstacles to be overcome, integration of the refugees into the life and economy of that country seemed to be the only solution. In certain countries of asylum, the local situation appeared to rule out integration and thus, in Italy, the Free Territory of Trieste, Greece, the Near East, Shanghai and Hong Kong, the best solution for these refugees was resettlement elsewhere.

The High Commissioner also reported on the United Nations Refugee Emergency Fund (UN-REF) established in accordance with General Assembly resolution 538 B (VI) which authorized the High Commissioner, under the Statute of his Office, to issue an appeal for funds to provide emergency aid to the most needy groups of refugees within his mandate. These groups of refugees, which included those in the Far East not resettled by IRO, newly arrived refugees whose basic needs were not provided for by public relief, and the old, sick, handicapped and children among residual groups of IRO refugees, required aid, according to the High Commissioner's estimate, amounting to \$3 million during 1952. He reported that, as of 5 May 1952, contributions and pledges totalled \$308,801.26, including contributions of \$235,395 from inter-governmental organizations and pledges of \$69,284 from governments.¹³⁵

(1) Consideration by the Economic and Social Council at its Fourteenth Session

The Council had this report of the High Commissioner before it at its 632nd to 634th plenary meetings on 7 and 8 July 1952. It also had before it a note by the Secretary-General (E/2283) on the composition of the High Commissioner's Advisory Committee for Refugees. The Secretary-General pointed out that he had not received any suggestions from Member and non-member States concerning the review of the composition¹³⁶ of the Committee which the Council had planned (resolution 393 B (XIII)) to undertake at the current session.

During the discussion the majority of members congratulated the High Commissioner on the progress made in the establishment of his Office and supported the draft resolution by Sweden and the United Kingdom (E/L.399) which would note his report with appreciation. The representative of Pakistan, pointing to the large-scale influx of refugees into Pakistan, expressed regret that the terms of the High Commissioner's

mandate precluded him from rendering assistance to such groups. The representative of the International Confederation of Free Trade Unions (ICFTU) stressed the need for funds for both the emergency and long-term aspects of the refugee problem.

The representatives of Czechoslovakia, Poland and the USSR considered that the activities of the High Commissioner's Office were in direct contradiction with the purposes and principles of the Charter. The High Commissioner, the USSR representative charged, was recruiting displaced persons into veritable foreign legions which were sent to Korea and Vietnam to quell peoples fighting for national independence.

The representatives of Belgium, China, France and the United States expressed the opinion that the High Commissioner should make more frequent use of the Advisory Committee through which he could secure the co-operation of governments. The representative of the High Commissioner's Office assured the Council that the High Commissioner agreed with this policy. Since the Committee's first session had been devoted to organizational work, he urged, as suggested by the United States representative, that the Council give the Committee more time before passing judgment on its effectiveness. The Council subsequently decided to note the Secretary-General's memorandum on the composition of the Committee without taking further action.

By 15 votes to 3, it took note with appreciation of the High Commissioner's report (resolution 437 (XIV)).

(2) Consideration by the General Assembly at its Seventh Session

The General Assembly considered the High Commissioner's report at the 470th to 473rd meetings of its Third Committee on 9, 10 and 11 December and at its 408th plenary meeting on 20 December 1952.

The High Commissioner, in his statement to the Third Committee, reiterated that there were three possible solutions to the refugee problem: voluntary repatriation, resettlement in new countries, or assimilation in the country of present residence. From the point of view of the refugees themselves, he stated, migration was probably the most desirable solution. However, existing possibilities for migration were extremely limited and assimilation of refugees had, therefore, be-

¹³⁵ By the end of 1952 the amount contributed or pledged totalled \$764,322, see p. 500.

¹³⁶ For composition of Committee, see p. 32.

come increasingly important as a solution. Such assimilation was the task of the voluntary agencies, churches and private individuals in the country concerned; it was not within the competence of an international body which could do no more than try to promote the creation of favourable economic and social conditions. His Office had no operational task in the assimilation process and wanted none. It had confined itself to studies of the assimilation process in various countries. From such studies in Austria, Germany and Greece it was evident that the most important problem of integration was the extension of credit facilities. The International Bank had indicated its willingness to finance certain particular projects but it was unable, within the scope of its activities, to grant small loans to small private enterprises.

The High Commissioner noted that his appeal for emergency aid to the most needy refugees had been heeded by a number of governments and individuals, but the total contributions to the Refugee Emergency Fund had not exceeded \$800,000 which was less than one third of the amount originally recognized as necessary. The situation in Shanghai, where the High Commissioner's Office was in full charge of refugees, would be particularly adversely affected since these funds would be exhausted by 1 October 1953. He therefore appealed to all governments and charitable institutions for new contributions to enable his Office to continue this programme. He also urged that Member States issue visas to these refugees, of whom only 429 out of 3,157 were "hard-core" cases. The majority, he pointed out, were ready and able to work. He asked the Assembly's guidance and particular attention with reference to the assistance fund, to the Shanghai operation and to the matter of financing integration of refugees.

During the discussion in the Committee, the majority praised the progress made in the organization of the High Commissioner's Office and the work which it was carrying out. The representatives of China and Turkey, respectively, expressed concern that the High Commissioner was not able to extend protection or render assistance to large groups of Chinese refugees in Hong Kong and to refugees who had fled from Bulgaria to Turkey. In Hong Kong there were more than 100,000 Chinese refugees who, in the opinion of the Chinese representative, seemed to fulfil the conditions of eligibility, but were receiving no aid from the United Nations. The question of their material assistance, the representative of China stated, was urgent. In Turkey, the repre-

sentative of that country stated, there were some 154,000 refugees from Bulgaria of Turkish origin. His Government was not able to accept the conclusions of the High Commissioner and his Advisory Committee that since Turkey had given them citizenship they could no longer be regarded as refugees.

Most of the representatives favoured the appeal made by the High Commissioner for emergency funds for the most needy groups of refugees, although, in supporting the principle behind the appeal, they stressed that they could not commit their governments to contributions to the fund. The representatives of the Netherlands, Sweden and the United Kingdom, among others, regretted that governments had responded so poorly to the appeal.

Among others, the representatives of Argentina, Denmark, the Dominican Republic, France and New Zealand, while recognizing the financial problems involved, supported assimilation as the most likely solution under the circumstances. General support was also given to a proposal (see below) that the High Commissioner should consult with the International Bank as to possible sources of funds. The representative of Denmark, among others, expressed appreciation of the \$2,900,000 donation of the Ford Foundation. But, the Danish representative pointed out, it should be noted that the grant was a contribution to the permanent solution of the problem and not to be used for immediate aid. Therefore, it had nothing to do with the emergency fund which the High Commissioner was trying to build up.

The representatives of the Netherlands and the United Kingdom hoped that refugees would receive a fair share of the migration opportunities. The desirability of co-ordinating all refugee programmes was stressed by many representatives. The United Kingdom representative suggested that the governments concerned might work out practical plans, preferably small at first, for integrating groups of refugees and submit these plans to international organizations.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR felt that repatriation was the only satisfactory solution of the refugee problem and expressed their dissatisfaction with the methods used by the High Commissioner in carrying out his functions.

The Committee had before it a joint draft resolution of Colombia, Denmark, France and the Netherlands (A/C.3/L.322) which, *inter alia*, would invite the High Commissioner, in consult-

ation with the International Bank, to examine the situation with a view to exploring what sources of funds might be available for the successful execution of long-term projects for the assimilation of refugees and the most effective means by which such funds might be utilized.

The sponsors accepted a United Kingdom amendment (A/C.3/L.324) which was designed to ensure that governments directly concerned with the refugee problem should be closely associated with all practical schemes for its solution.

The draft resolution, as thus revised (A/C.3/L.322/rev.1), was adopted by the Third Committee (A/2328 A) at its 473rd meeting on 11 December by 33 votes to 5, with 13 abstentions. The General Assembly at its 408th plenary meeting on 20 December 1952 adopted it, without discussion, by 38 votes to 5, with 12 abstentions, as resolution 638 (VII). (For text, see below).

The Third Committee also had before it a draft resolution by Colombia, Denmark, France and the Netherlands (A/C.3/L.323) which, inter alia, expressed the hope that further contributions would be forthcoming so as to enable the High Commissioner to carry out his plans of assistance to the most needy groups of refugees, and reiterated the Assembly's appeal to all governments and agencies interested in migration to give to refugees under the mandate of the High Commissioner every possible opportunity in and benefit from projects to promote migration, including such measures as would facilitate the transit and resettlement of refugees.

The representative of China objected to the words in the preamble (paragraph 2, see below) which would single out, for particular mention, the refugee group in Shanghai. He thought the groups in Hong Kong and Samar also deserved special attention and to mention the Shanghai group to the exclusion of the other two would be improper.

The words "particularly in Shanghai" were therefore voted on at the Committee's 473rd meeting and retained by 15 votes to 1, with 35 abstentions.

At the request of the representative of Canada, a separate vote was also taken on the paragraph expressing hope for further contributions, and it was adopted by 26 votes to 5, with 19 abstentions.

The sponsors of the draft resolution accepted an amendment by Sweden (A/C.3/L.325) to the last paragraph to replace the words "and agencies"

by the words "specialized agencies and other inter-governmental and non-governmental organizations", and the words "transit, resettlement of refugees" by the words "transit, resettlement and employment of refugees in occupations suitable to their training and skills."

The draft resolution, as amended, was adopted by the Committee (A/2328 B) at its 473rd meeting on 11 December by 35 votes to 5, with 11 abstentions. The General Assembly at its 408th plenary meeting on 20 December 1952 adopted it, without discussion, by 36 votes to 5, with 12 abstentions, as resolution 639 (VII).

Two resolutions were thus adopted by the Assembly. Resolution 638 (VII) read:

"The General Assembly,

"Taking note of the observations and information contained in the report of the United Nations High Commissioner for Refugees on the problem of assimilation of refugees in the countries of their residence,

"Considering that the voluntary repatriation or the resettlement in countries of immigration of refugees under the mandate of the High Commissioner, while constituting valuable elements for the solution of the refugee problem, are not sufficient in themselves under the present conditions to offer within a reasonable time a permanent solution of that problem,

"Noting with satisfaction the efforts made by the governments of the countries of present residence of refugees towards their assimilation, as well as the studies and plans of the High Commissioner directed towards the same objective,

"Considering that, in view of the heavy financial burdens involved in the execution of integration programmes, international funds may play a useful role in the successful execution of long-term projects for the assimilation of refugees,

"Invites the United Nations High Commissioner for Refugees, in consultation with the International Bank for Reconstruction and Development, to examine the situation with a view to exploring, with the governments directly concerned, what sources of funds might be available and the most effective means by which such funds might be utilized."

Resolution 639 (VII) read:

"The General Assembly,

"Concerned with the persistence of a serious refugee problem which is the direct responsibility of the United Nations,

"1. Notes with appreciation the second annual report of the United Nations High Commissioner for Refugees;

"2. Takes note of the fact that contributions thus far received by the High Commissioner for assistance to refugees under the authority given to him by General Assembly resolution 538 B (VI) of 2 February 1952 will not be sufficient to provide in 1953 for emergency aid to the most needy groups of refugees under his mandate in Europe, the Near East and the Far East, particularly in Shanghai;

"3. Notes with appreciation the contributions already made by governments, organizations and private individuals to the fund for emergency aid to refugees;

"4. Expresses the hope that further contributions will be forthcoming to that fund so as to enable the High Commissioner to carry out his plans of assistance to the most needy groups of refugees;

"5. Reiterates its appeal to all governments, specialized agencies and other inter-governmental and non-governmental organizations interested in migration to give to refugees under the mandate of the High Commissioner every possible opportunity in and benefit from projects to promote migration, including such measures as will facilitate the transit, resettlement and employment of refugees in occupations suitable to their training and skills."

c. WORK OF THE OFFICE OF THE HIGH COMMISSIONER

(1) Organization and Operation of the Office

The Office of the United Nations High Commissioner for Refugees was established on 1 January 1951 in Geneva, Switzerland, following the adoption by the General Assembly on 14 December 1950 of the Statute of the Office.¹³⁷ The Assembly on the same day appointed G. J. Van Heuven Goedhart (Netherlands) as High Commissioner for a term of three years from 1 January 1951. The High Commissioner subsequently appointed James M. Read (United States) as Deputy High Commissioner for the same term of office.

At the High Commissioner's request, and in accordance with the terms of the Statute, the Economic and Social Council established the United Nations High Commissioner's Advisory Committee on Refugees to advise him, at his request, in the exercise of his functions.¹³⁸ The first session of the Advisory Committee was held in December 1951, the second in September 1952.

After consultation with the governments concerned, as provided for in the Statute of his Office, and in order to strengthen relations with the authorities of the countries of residence of refugees, non-governmental agencies dealing with refugees and the refugees themselves, the High Commissioner established branch offices in Austria, Belgium (for the Benelux countries), Colombia (for Latin America), the Federal Republic of Germany, England (for the United Kingdom and British Commonwealth), France, Greece, Italy and the United States. In addition, the High Commissioner, together with the Inter-Governmental Committee for European Migration,¹³⁹ appointed a joint representative in Hong Kong to continue the operation begun by IRO for the care and maintenance and the resettlement of European refugees from China.

The administrative expenses of the Office of the UNHCR are financed under the regular

budget of the United Nations; all other expenditures are financed by voluntary contributions.

The High Commissioner reports annually to the General Assembly through the Economic and Social Council. He is entitled to present his views before the Assembly and the Council, and follows policy directions given to him by either of these United Nations organs.

Approximately two million refugees are presumed to come within the High Commissioner's mandate (chapter II of the Statute), which extends generally to all persons who were considered refugees under the Constitution of IRO and to all refugees who, because of a well-founded fear of persecution, cannot avail themselves of the protection of their country of nationality. Certain categories of persons are excluded, such as those who are recognized by the competent authorities of the country in which they reside as having the rights and obligations which are attached to the possession of the nationality of the country, or those who continue to receive from other organs or agencies of the United Nations protection or assistance.

According to the Statute of the Office (UNHCR), the High Commissioner:

"... shall assume the function of providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the ... Statute and of seeking permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of the Governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities."

The method by which the High Commissioner shall provide international protection is defined in article 8 of the Statute,¹⁴⁰ as follows:

"The High Commissioner shall provide for the protection of refugees falling under the competence of his Office by:

"(a) Promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments thereto;

"(b) Promoting through special agreements with governments the execution of any measures calculated

¹³⁷ For details leading to the establishment of the High Commissioner's Office and for the text of the Statute, see Y.U.N., 1950, pp. 580-87.

¹³⁸ For members of the Committee, see p. 136.

¹³⁹ This Committee, formerly the Provisional Inter-Governmental Committee for the Movement of Migrants from Europe, is not a United Nations body. It was established in November 1951 with the following members: Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, Denmark, France, Federal Republic of Germany, Greece, Italy, Luxembourg, Netherlands, Switzerland, United States and Venezuela.

¹⁴⁰ See Y.U.N., 1950, pp. 586-87.

to improve the situation of refugees and to reduce the number requiring protection;

"(c) Assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities;

"(d) Promoting the admission of refugees, not excluding those in the most destitute categories, to the territories of States;

"(e) Endeavouring to obtain permission for refugees to transfer their assets and especially those necessary for their resettlement;

"(f) Obtaining from governments information concerning the number and conditions of refugees in their territories and the laws and regulations concerning them;

"(g) Keeping in close touch with the governments and inter-governmental organizations concerned;

"(h) Establishing contact in such manner as he may think best with private organizations dealing with refugee questions;

"(i) Facilitating the co-ordination of the efforts of private organizations concerned with the welfare of refugees."

(2) Activities during 1951-1952

(a) GENERAL INTERNATIONAL PROTECTION

The Office of the High Commissioner was established by the General Assembly at a time when IRO was still continuing its operations. As IRO had missions in a number of countries and was undertaking extensive work for the protection of individual refugees, an arrangement was made with the Director-General of IRO during January 1951, under which it was agreed that the responsibility for the general work of protection relating as a rule to groups and categories of refugees should pass immediately to UNHCR, while the work of protection relating to individual refugees within the IRO mandate would be continued for the time being by IRO.

As UNHCR branch offices were progressively established in agreement with the governments concerned, arrangements were made with IRO for the transfer to UNHCR of certain additional functions of protection which it was understood would cease to be discharged by IRO after 1 October 1951. These primarily were:

1. Supervision of conditions in institutions in which institutional hard-core cases had been placed under agreement with the relevant authorities;
2. Supervision of the local settlement of those refugees who had been unable to emigrate;
3. Control of the implementation of the conditions of guardianship for unaccompanied children;
4. Legal protection of refugees.

(b) PROMOTION OF LEGAL INSTRUMENTS

The general work of UNHCR in the field of legal protection during 1951-52 was chiefly related to the negotiation and entry into force of

the United Nations Convention Relating to the Status of Refugees¹⁴¹ which had been opened for signature on 28 July 1951. The convention will come into force 90 days after the deposit of the sixth ratification or accession. Up to 31 December 1952 the convention had been signed by twenty States but ratified only by Denmark, although a number of States had signified their intention to ratify it in the near future. The twenty States which have signed the convention are: Austria, Belgium, Brazil, Colombia, Denmark, Federal Republic of Germany, France, Greece, Holy See, Israel, Italy, Liechtenstein, Luxembourg, Netherlands, Norway, Sweden, Switzerland, Turkey, United Kingdom and Yugoslavia.

In some countries, however, UNHCR was able to influence the legislation affecting the interests of refugees in such a way as to bring it into line with the provisions of the convention although that instrument had not yet entered into force.

With a view to safeguarding the interests of refugees within the mandate of UNHCR close liaison was maintained with the Commission on Human Rights, the International Law Commission, the International Labour Organisation, the World Health Organization, the Inter-Governmental Committee for European Migration, the Council of Europe and other international and intergovernmental agencies. The Office of the High Commissioner was particularly concerned with proceedings connected with:

- (1) the Protocol to the Universal Copyright Convention which provides for the assimilation of stateless persons and refugees who have their habitual residence in a State party to the Protocol to nationals of that State;
- (2) Protocols adopted by the committee of the Council of Europe, the provisions of which enable refugees to benefit by social security and medical assistance schemes;
- (3) the Convention on Declaration of Death of Missing Persons; and
- (4) the drafting of a model convention on the question of the Recognition and Enforcement Abroad of Maintenance Obligations (see A/AC.36/23).

(c) VOLUNTARY REPATRIATION

The High Commissioner undertook various measures within his competence to facilitate the voluntary repatriation of refugees. Wherever possible, representations were made to the competent authorities with a view to ensuring that information concerning conditions of repatriation was made available to refugees.

(d) ASSIMILATION

In Germany, Austria and Greece UNHCR attempted, in accordance with the terms of articles 1 and 8 of the Statute and of General Assembly

¹⁴¹ See Y.U.N., 1951, pp. 521-23.

resolution 538 B (VI), to promote the assimilation of refugees into the national communities. It was estimated that the problem was urgent for some 350,000 refugees, of whom approximately 100,000 were in Germany, 200,000 in Austria and 8,000 in Greece.

In Germany, following negotiations with the Federal Government, UNHCR made a contribution of 2 million DM¹⁴² to increase the capital of the Displaced Persons Branch of the Expellee Bank, which had been started by IRO with a contribution of 1,500,000 DM and had been augmented by grants of some 3,500,000 DM from the residual assets of IRO.

The Federal Government, which had contributed towards providing approximately 7,000 houses for foreign refugees in Germany, also set aside a special fund of 2 million DM to finance the further construction of houses.

In Austria a limited integration programme in the field of agriculture was begun by the Austrian Government, in consultation with members of the High Commissioner's Office, through the release of 10 million schillings from United States counterpart funds.

The High Commissioner, as administrator of the \$2,900,000 grant from the Ford Foundation, supported a number of activities designed to promote the social integration of refugees in Austria, France, Germany, Scandinavia, Trieste and Latin America which were undertaken by voluntary agencies in the field.

(e) **PROMOTION OF ADMISSION**

Although the High Commissioner cannot engage in any direct operations of resettlement without the specific approval of the General Assembly, he is charged (paragraph 8(d) of the Statute) with promoting the admission of refugees to the territories of States. The Office, therefore, made several appeals to governments to be as liberal as possible in the admission of refugees, especially those of European origin in China, and in favour of those refugees with professional qualifications who normally do not qualify under the schemes for the recruitment of manual labour. It also, with the help of dossiers taken over from IRO, worked with the voluntary agencies to try to obtain resettlement opportunities for refugees with special qualifications. In addition, UNHCR representatives in the United States and in Latin America, when called upon, advised the competent authorities on the refugee aspects of immigration legislation.

Close liaison was established with the secretariat of the Inter-Governmental Committee for Euro-

pean Migration and also with the headquarters of the United States Escapee Programme working in Frankfurt. Liaison was also established between the respective representatives in all the countries where these organizations were represented. In Greece the UNHCR Branch Office was concerned with arrangements for the selection and resettlement in France of up to 200 agricultural workers from the refugees residing in Greece.

(f) **TRAVEL DOCUMENTS**

Since the establishment of the Office of the High Commissioner, the German Federal Republic has become a party to the London Agreement of 1946 and the Government of Brazil, which had signed the Agreement earlier, has deposited its instrument of ratification. For refugees in Trieste, an agreement was reached with the Italian authorities providing for the issue of London Travel Documents by the Italian Ministry of the Interior. In Hong Kong arrangements were made with the authorities under which refugees who were temporarily admitted to Hong Kong from China and who held end destination visas might also be given the London Travel Document.

(g) **INSTITUTIONAL CARE**

Under article 8 of the Statute, UNHCR took over the supervision of all agreements relating to refugees requiring institutional care. Periodic visits were made by UNHCR representatives to institutions where such cases had been placed in the countries in which they were accredited.

In October 1952 an allocation from the Ford Foundation grant was made to the American Joint Distribution Committee for the resettlement in Norway and Sweden of 87 tuberculosis patients and dependents. A grant was also made from the United Nations Refugee Emergency Fund to the World Council of Churches to place in institutions in Belgium refugees from China requiring institutional care. UNHCR also took steps to help find a solution for the difficult tuberculosis cases in Trieste.

(b) **INFORMATION AND LIAISON WITH GOVERNMENTS**

In all countries where large numbers of refugees were resident, the branch offices obtained from governments information concerning the number and conditions of refugees and of the laws and regulations concerning them. Requests were addressed by the High Commissioner in 1951 to governments asking them to supply UNHCR once a year with statistics concerning the

¹⁴² Twenty-four Deutsche Marks equal approximately one dollar, at the official rate of exchange.

number of refugees admitted, the demographic breakdown of refugees and the progress of naturalization. A number of governments met this request in 1952 and also the request to send to UNHCR, as they appeared, copies of laws, decrees or regulations affecting refugees.

(i) RELATIONS WITH VOLUNTARY AGENCIES

Under the Statute, the High Commissioner's Office was given the responsibility for maintaining contact and facilitating the co-operation of private organizations concerned with the welfare of refugees. Through its activities, both at its headquarters in Geneva and at branch offices, an informal relationship was established with the lead-agencies working internationally. Several agreements were entered into, enabling the High Commissioner to bring cases of individual assistance to the attention of these agencies.

(j) WORK OF THE BRANCH OFFICES

During 1951 and 1952 representations were made by each of the Branch Offices to the competent authorities to ensure that the standards set by the Convention of 1951 should be implemented in practice pending its entry into force. These representations covered matters such as the determination of refugee status, the regularization of residence, the exercise of the right to work, public relief, travel documents, authentication of documentation, personal status, public assistance and social security. Following is an outline of certain special features of the work of protection in some of the countries where UNHCR is represented.

WESTERN EUROPE

Belgium—At the request of the Government, the branch office took over functions previously exercised by the representatives of former international organizations and was responsible for the determination of the eligibility of individual refugees. The office also continued the work formerly performed by the field mission of IRO, under which documents issued to refugees by the offices for Russian and Armenian refugees and authenticated by the UNHCR representative are recognized in Belgium as official documents in accordance with the Agreement of 30 June 1928. The Law of 28 March 1952 concerning the Aliens Police formed the subject of close consultation between the Belgian Authorities and UNHCR. The Law provides for special safeguards against the expulsion of persons recognized as refugees. At the request of UNHCR the Belgian Authorities agreed to remove the words "must emigrate" from the residence permits of certain refugees.

France—The UNHCR Representative became a member of the governing body of the French

Office for the Protection of Refugees and Stateless Persons, created by the Law of 25 July 1952. Under the terms of the Law, the Office co-operates with UNHCR in the supervision of the implementation of all agreements concerning refugees, and determines the refugee status of persons coming within the mandate of UNHCR or within the scope of article 1 of the Convention of 1951.

Italy—On 2 April 1952, an agreement was negotiated between the Italian Government and UNHCR for the establishment of a branch office in Rome. It provided that UNHCR, at the request of the Italian Government, would co-operate in the determination of eligibility and issuance of documentation to refugees. A subsequent arrangement (see A/AC.36/23) to implement the agreement was negotiated in July 1952.

Luxembourg—At the Government's request, a UNHCR representative was appointed to be responsible for liaison between the Government of Luxembourg and UNHCR through the branch office in Brussels. The representative continued the functions in respect of refugee status formerly performed by IRO. The Government of Luxembourg, in its Draft Law of August 1952, enacting the ratification of the Convention of 1951, undertook to respect in practice the determination of refugee status made by IRO and UNHCR.

Netherlands—The UNHCR representative in The Hague was especially concerned with the problem of regularization of the status of illegal entrants into the Netherlands. After discussions in the Netherlands Parliament, the Government undertook to review the existing regulations.

United Kingdom—Protection in the United Kingdom consisted mostly of advice and guidance to refugees, many of whom spoke little English. The branch office also gave advice in a number of legal questions concerning refugees, especially refugee seamen, whose problems were often extremely complicated.

CENTRAL EUROPE

Germany—The UNHCR branch office, established in September 1951, entered into direct relations with the Federal Government. At the request of the branch office, a circular was issued by the Ministry of the Interior in June 1951 to the effect that the definition of the Law concerning the Status of Homeless Foreigners applied to refugees within the competence of UNHCR who satisfied the "residence" qualification.

In order to provide satisfactory documentation for refugees within the UNHCR mandate, the branch office in Germany requested, and the Federal Government agreed, that the London Travel

Document (and, after the entry into force of the 1951 Convention, the travel document provided for in that Convention) would be issued to all refugees within the UNHCR mandate.

The branch office in Germany drew the attention of the competent Laender Authorities to the federal provisions concerning the legal status of refugees and worked to ensure their implementation in the Laender. In conjunction with the Federal Ministry for Refugees it composed a handbook for refugees containing all the necessary information concerning relevant legislation and existing organizations working on behalf of refugees and, in addition, circulated a monthly bulletin containing up-to-date information concerning new legislation and regulations affecting refugees.

UNHCR was made a "necessary party in interest" in the United States Courts in Germany under Law 11 of the United States High Commissioner for Germany concerning unaccompanied children, and was concerned with problems arising out of the compensation for damages suffered under the Nazi regime, both in helping individual refugees to obtain satisfaction for their claims and in advising the competent German authorities on the special problems affecting refugees within the High Commissioner's mandate.

As a result of the efforts of the branch office, joint Refugee Councils (Beiräte), consisting of the representatives of the German Authorities, of the refugees and sometimes of the voluntary agencies, exist in most of the Laender.

The objective of the work of the branch office in Vienna in the field of protection was to take every step within its competence, in agreement with the Allied and the Austrian Authorities, to help the refugees in Austria overcome their legal disabilities, to regularize their personal status and to facilitate their assimilation in the Austrian community.

In contrast with the position of the foreign refugees, considerable progress was made in connexion with the improvement of the legal position of the Volksdeutsche who, for the first time, have been recognized to be within the mandate of an international organization. The Allied Authorities, the branch office and the Volksdeutsche Refugee Advisory Council followed closely the various legislative steps taken to improve the legal position of the refugees. Particular attention was given to the question of aged and indigent Volksdeutsche refugees, and the payment of pensions. The UNHCR was represented on the land committees in the Laender of the three

Western Zones of Austria and on the Federal Committee.

(k) UNITED NATIONS REFUGEE EMERGENCY FUND

By the end of 1952, contributions or pledges, totalling \$764,322, had been received as follows:

CONTRIBUTIONS IN CASH TO 31 DECEMBER 1952

Governmental			
	Germany	\$13,095.20	
	Luxembourg	970.00	
	Sweden	19,491.90	
	Norway	14,103.90	
	Switzerland	69,284.05	
	United Kingdom	280,000.00	
	Denmark	14,607.40	
	Greece	1,000.00	
	Australia	55,832.50	
	Netherlands	10,000.00	\$478,384.95
Other Official Sources			
	IRO for Shanghai	236,698.50	
	United Kingdom		
	Control Commission, Germany	2,831.80	239,530.30
Private	Individuals		17,934.85
			\$735,850.10

OUTSTANDING CASH PLEDGES AT
31 DECEMBER 1952

Governmental			
	Balance of Netherlands	\$25,000.00	
	Austria	1,923.08	\$ 26,923.08
Private	Individuals		1,549.05
			\$ 28,472.13

Public campaigns were launched in the Netherlands and Norway, but the full results had not been announced by the end of the year. Some contributions were also received as a result of private campaigns in Australia and New Zealand. Preparations were made for an appeal in Belgium to take place early in 1953, and other governments were approached on the subject of public campaigns in their countries.

By 31 December 1952 a large proportion of the funds received had been allocated, the greater part (approximately \$500,000) having been earmarked for material assistance to European refugees in China who, without this help, would find themselves in a desperate situation. The number of these refugees prima facie who come within the High Commissioner's mandate was assessed to be approximately 12,000. The grants made to voluntary agencies for assistance programmes in Europe and the Middle East were as follows:

(a) Grants made to Agencies, at 31 December 1952:			
Tolstoy Foundation for Refugees from China in Belgium	\$ 1,000.00		
Allied Military Govt., Trieste	10,000.00		
World Council of Churches for DP students, Germany	11,904.75		
Refugee Service Committee, Istanbul	1,500.00		
Refugee Service Committee, Beirut	1,000.00		
Bonn Refugee Benefit Fund Grant to International Social Service, Geneva . .	92.38	\$28,328.41	
(b) Grants in process at 31 December 1952:			
Balance of grant to A.M.G., Trieste	10,000.00		
Grant to Refugee Service Committee, Athens	1,000.00		
Grant to World Council of Churches, Belgium	12,000.00	23,000.00	
			\$51,328.41

2. Problem of Statelessness

a. REPORT BY THE SECRETARY-GENERAL

In resolution 319 B. III(XI) and 352 (XII) the Economic and Social Council had invited governments to submit observations on questions concerning the elimination of statelessness and to include in their replies not only an analysis of legal and administrative texts and regulations but also of their practical application. The Secretary-General, therefore, prepared a consolidated report (E/2230 and Add.1) analysing, in Part I, the information supplied by governments. Part II of the report, for the convenience of the Council and the International Law Commission, restated in a systematic but shortened form the main facts set out in Part I and gave a general view of the positions of governments as indicated in the information.

The Secretary-General's report was transmitted, as requested, to the Council at its fourteenth session¹⁴³ and to the International Law Commission at its fourth session.¹⁴⁴

b. DRAFT PROTOCOL RELATING TO THE STATUS OF STATELESS PERSONS

The General Assembly considered this item during its seventh session at the 420th and 421st meetings of its Third Committee on 21 and 22 October and at its 391st plenary meeting on 6 November 1952.

Several representatives, among them those of Argentina, Canada, France, Israel and the United Kingdom, expressed the view that the situation of stateless persons should be improved and that the proposed protocol might be a useful basis for the attainment of that objective. They held, however, that there would be little purpose in the General Assembly completing the drafting of the protocol at the current session because the Convention relating to the Status of Refugees, to which the protocol related, though signed by twenty States, had not yet been ratified and had not entered into force. It would be more realistic, they thought, to postpone the adoption of the draft protocol until this convention had entered into force and until the attitude of governments towards it had become clearer, as well as the extent to which the latter would be prepared to apply the provisions of the convention to the various categories of stateless persons who were not refugees. The representative of Canada pointed out that the International Law Commission was studying the question of nationality including statelessness, although from a different angle and that it would be desirable to wait for the completion of that Commission's work. Several representatives, among them those of Argentina, the Union of South Africa and the United States, pointed out that, as far as their countries were concerned, there was no need for the adoption of a protocol on the protection of stateless persons because they treated stateless persons on the same footing as other aliens, but that they would not oppose procedural decisions providing for continuation of the work concerning the protocol.

The representatives of Czechoslovakia and the USSR held that the subject matter of the draft protocol came within the domestic jurisdiction of States and was, therefore, not a proper subject for United Nations activities. Moreover, they said, they were opposed to the Convention Relating to the Status of Refugees, which legalized an irregular position and defeated the purpose of General Assembly resolution 8(I) of 12 February 1946 providing for the early return of displaced persons to their countries of origin.

At the Committee's 421st meeting on 22 October, the representatives of France, Israel and the United Kingdom submitted a joint draft resolution (A/C.3/L.248/Rev.1) which was adopted (A/2240) by 34 votes to 5, with 6 abstentions. It was adopted, without discussion, by the Assem-

¹⁴³ Not considered by the Council at its fourteenth session.

¹⁴⁴ See also p. 795.

bly at its 391st plenary meeting on 6 November by 43 votes to 5, with 8 abstentions, as resolution 629(VII).

It read:

"The General Assembly,

"Desiring to improve the situation of stateless persons as soon as possible,

"Considering that the draft protocol prepared by the Ad Hoc Committee on Statelessness and Related Problems established by the Economic and Social Council offers a useful basis for the attainment of this objective,

"1. Requests the Secretary-General to communicate the provisions of the draft protocol to all the governments invited to the United Nations Conference of

Plenipotentiaries on the Status of Refugees and Stateless Persons held at Geneva in July 1951, with a request for their comments, in particular on those provisions of the Convention relating to the Status of Refugees which they would be prepared to apply to the various categories of stateless persons, and to submit these comments, with his observations, to the Economic and Social Council;

"2. Requests the Economic and Social Council to study, if possible at its sixteenth session, the text of the draft protocol and the comments received from interested governments and, in the light of these comments, to take whatever action seems useful in order that a text may be opened for signature after the Convention relating to the Status of Refugees has entered into force."

O. SOCIAL WELFARE

1. World Social Situation

a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS EIGHTH SESSION

The Social Commission at its eighth session held from 12 to 29 May 1952, had before it the Preliminary Report on the World Social Situation (E/CN.5/267 and Rev.1),¹⁴⁵ prepared by the Secretary-General, with the co-operation of ILO, FAO, UNESCO and WHO. The report examined the world social situation with particular reference to standards of living, making no attempt to analyse the diverse social structures, religions, systems of belief, culture patterns and values except in so far as they had a bearing upon standards of living. Human rights, crime and delinquency, narcotics addiction and similar problems, which may be regarded as closely related to standards of living in the broadest sense, were not included because of lack of facilities to obtain data. Following an introductory chapter and a background chapter on population, the report dealt with health, food and nutrition, housing, education and communication, conditions of work and employment, special problems affecting living standards, and general levels of income and welfare. The report concluded with an examination of these factors in the context of living conditions in Latin America, the Middle East, and South and Southeast Asia.

The report stressed that the greatest obstacles to social progress—disease, ignorance and poverty—had perpetuated themselves throughout history, each being, in part, both cause and consequence of the others. It indicated, however, that there was growing recognition that the general impoverishment of any area was a matter of concern to all areas and that national and inter-

national action to combat these social ills was advancing. For example, the general advance in mass measures against disease, it said, had been substantial in recent years, with death rates in some of the less developed areas dropping as much as 50 per cent within a few years. Nevertheless, millions of human beings were still ravaged by diseases readily amenable to control—diseases that caused not only untold misery but also immense economic loss. The report stated further that, with regard to illiteracy and ignorance, though some notable recent advances had been made in the less developed countries, the obstacles and deterrents were still great.

Against poverty the advance had been uneven, and generally least impressive where economic want was greatest. It pointed out that the world had made tremendous though unequal strides in recent times in the industrial production of goods, but that the production of food, which constituted the occupation of the majority of the people in the less developed areas, was no greater per capita in the world as a whole than before the Second World War, and in the less developed areas it was significantly less, owing to population increases, war devastation, political disturbances and other factors. The gap between the rich and the poor countries in general levels of production and consumption was, it said, wider now than before the war.

From the point of view of the distribution within countries of the goods produced, a certain levelling process appeared to be under way in countries with relatively high and expanding national incomes, the poorer groups receiving a larger share of the total income, wage differen-

¹⁴⁵ U.N.P., Sales No.: 1952.IV.11.

rials between occupational groups narrowing, and progressive labour legislation and systems of social security not only defining minimum levels of welfare but progressively defining these levels upward.

In the less developed countries, the report disclosed, some recent improvements had taken place in the fields of large-scale industrial labour and plantation labour. Yet in so far as the great masses of the people were concerned—constituting as they did mostly illiterate peasants engaged in small-scale farming with primitive techniques—general poverty had not been substantially reduced in recent years and in wide areas had possibly been aggravated as a result of declines in per capita agricultural production.

The report drew attention to the fact that some of the most urgent social problems and needs of the present day were associated with the very process of change and development. Drastic reductions in mortality rates were being effected in some of the less developed areas. At the same time birth rates continued at high levels and it seemed unlikely that they would decline significantly in the near future. The result was a rapid acceleration in population growth. The swift population increase, combined with the effects of war and economic stress, had caused a deterioration of the housing situation in many parts of the world, and particularly in less developed areas which lacked economic and technical resources to cope with the problem. Congestion and slum conditions characterized many cities that had undergone extraordinary expansion during the past decade or so, chiefly as a result of migration from the country. Such cities in many of the less developed countries now contained large floating populations of unskilled workers of peasant origin, beset by many problems and needs. This situation, together with under-employment found very extensively among the rural peasantry, constituted a tremendous waste of potentially productive manpower.

The report finally stated that more than half the population of the world was still living at levels which denied them a reasonable freedom from preventable disease, a diet adequate to physical well-being, a dwelling that met basic human needs, the education necessary for improvement and development, and conditions of work that were technically efficient, economically rewarding and socially satisfactory.

The Social Commission decided (E/2247) that the report had not been received sufficiently in advance of the meeting to permit the detailed examination and formulation of specific recom-

mendations to the Council as called for by the Assembly in resolution 535(VI).¹⁴⁶ It considered, nevertheless, that such a report should be drawn up every four years and that a supplementary one, relating to international and governmental programmes of social development, should also be prepared every four years by the Secretariat, two years after each report on the social situation had appeared. It was understood that the first edition of the supplementary report would emphasize governmental and inter-governmental programmes undertaken since 1945 but that programmes of voluntary agencies would be considered to the extent that governments reported on them. The Commission reserved for further consideration the question of other subjects to be treated in future reports and the methods which might enable the Secretariat to extend its documentary resources for the purpose of preparing such reports.

It requested permission to hold a special session in 1953 so that it might, among other things, work out a programme of practical action in the social field on the basis of a detailed study of the preliminary report.

The Commission also proposed that, since the United Nations and the International Labour Office were jointly planning a conference of experts in late 1952 or early 1953 to consider methods of studying family living standards in less developed areas, the conference might be expanded to cover the general field of methods of measuring standards of living internationally with special reference to less developed areas. The experts, it suggested, should be requested to prepare a report that would serve as a methodical basis of future studies of changes in standards of living.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council, at its fourteenth session, considered the Preliminary Report on the World, Social Situation, together with the item "Development and concentration of the efforts in the social field of the United Nations and the specialized agencies," at the 223rd meeting of its Social Committee on 18 July and at its 641st to 646th and 659th to 661st plenary meetings from 14 to 16 July and from 25 to 28 July 1952.

During the debate most members expressed satisfaction with the report as a whole finding it a central contribution to the interrelated social

¹⁴⁶ See Y.U.N., 1951, pp. 552-53.

and economic work of the Council. A number of representatives, among them those of Cuba, Mexico, Sweden and the United Kingdom, alluded to the close parallel existing between the problems set forth in the preliminary report on the world social situation and those dealt with in the world economic report. In the light of the world social report any division between "economic" and "social" matters would henceforth have to be regarded as merely reflecting two different ways of looking at one and the same thing. The representatives of Sweden and the United Kingdom placed particular stress on the importance of self-help techniques in promoting social and economic development, especially in the under-developed areas. The need for efficiently organized self-help activities, they considered, was perhaps the main lesson to be drawn from the report.

Among others, the representatives of Canada, Cuba, Egypt, Mexico, the United Kingdom and the United States held that the report was an effective, important document for which the Secretary-General and the specialized agencies should be commended. It permitted the Council to engage in a comprehensive review of world-wide social conditions and served as the starting point for the drawing up of a programme of practical social action for the United Nations, to be implemented in co-operation with specialized agencies.

The representatives of Czechoslovakia, Poland and the USSR thought that the premises on which the report had been based were faulty. They contended that the report presented overpopulation as the reason for the critical social situation in the world to divert attention from the real causes. The rapid deterioration of social conditions in the capitalistic world and the low living standards in the less developed countries were due to the policy of rearmament and to the monopolistic exploitation of the under-developed countries, they said. The representative of the World Federation of Trade Unions (WFTU) supported this view.

The representative of the International Confederation of Free Trade Unions (ICFTU) recognized the merits of the report in spite of the difficulty of assessing social data which varied more widely than economic data from one country to another.

The majority of the representatives, acknowledging that the report was a remarkable achievement, made suggestions for the preparation of future reports. The preliminary report was not a global, balanced discussion of the world social

situation, but rather a series of papers on different aspects of the complex problem, seen from different viewpoints. The quality of the various chapters and the concepts of the task varied and showed the need for more co-ordination and central direction to achieve a unified approach. The general lack of information on social conditions for certain large areas of the world was noted by, among others, the representatives of Canada, Czechoslovakia, Pakistan, Poland, the United Kingdom and the United States, and the hope expressed that in future these gaps could be filled. The representatives of Argentina, Belgium and Sweden urged governments to improve their social statistics and to submit to the United Nations and the specialized agencies as much information as possible on their social conditions. In connexion with future reports, the representative of Belgium suggested that more attention should be given to non-governmental organizations since the social field was one in which they did their most effective work. The Egyptian representative hoped that future reports would include studies of other social factors such as crime and delinquency, alcoholism, and narcotics.

The discussion touched upon the advisability of including in future reports information on governmental programmes and plans to improve existing conditions. Some representatives, among them those of Egypt and Poland, held that it was academic to discuss conditions without dealing with government plans to improve them. The United Kingdom representative, among others, doubted the utility of reporting on programmes since they were not always facts.

In commenting on individual chapters, the representatives of Belgium and Poland drew attention to the one on health which they respectively thought lacked adequate treatment of the subject of preventive medicine, and sufficient attention to the system of public health protection in the socialized sector of the world.

With respect to the chapter on housing, the representative of Argentina thought that the report took a very restricted view of housing problems and failed to draw the necessary relationship between housing and the problem of town planning.

In connexion with the chapter on education, the Belgian representative expressed the view that a report of the type under discussion should not deal with the whole field of education but merely with the social aspects of the problem, such as technical and professional education and educational difficulties arising from lack of resources.

In reviewing the chapter on general levels of income and welfare, he further expressed regret that the report had not dealt in detail with the important question of social security, and that tables on the distribution of national income did not include information on under-developed countries. The latter point was also mentioned by the Polish representative. Some information on national fiscal policies might also be a valuable addition to the chapter, the representative of Belgium said, since they had bearing on relative standards of living and an important influence on the distribution of national income.

The chapters dealing with social conditions on a regional basis were regarded, on the whole, as accurate presentations of existing social conditions. With respect to the Middle East, the representative of Egypt thought that insufficient mention had been made of the great effort toward social reform by countries of the region. In discussing conditions in Asian countries, the Pakistan representative regretted that no mention had been made of the Kashmir question and its effect upon social and economic conditions in India and Pakistan and that insufficient emphasis had been given to the effect upon social conditions of the large-scale movement of refugees between the two countries.

The representatives of Cuba and Pakistan congratulated the Lebanese delegation for having taken the initiative in 1949 in requesting the preparation of such a report. The representative of Lebanon, who was not a member of the Council, at the invitation of the President, addressed the Council and commended the usefulness of the report. He expressed the hope that future studies would give attention to the root causes of certain social conditions and that cultural achievement would be dealt with.

Closely related to the world social survey are the questions relating to the methods of measuring the standards of living, which were raised in General Assembly resolution 527(VI) 1952. The Council agreed that the problem of measuring standards of living was both complex and important, and at its 646th plenary meeting on 16 July decided to refer to its Social Committee a joint draft resolution (E/L.416) by Sweden, the United Kingdom and the United States proposing that a group of experts be convened to advise on the best methods of defining and measuring standards of living.

The representative of Uruguay thought that the question should be referred to the Statistical Commission and submitted an amendment to that effect (E/AC.7/L.124). Most members, however,

considered that the problem was more than a statistical one as it involved problems of climatic, cultural and other differences, and the amendment was rejected by 14 votes to 4. It was agreed that international comparisons should not be confined to comparisons between the more and less developed countries and that measurements should not be based exclusively on governmental data. Therefore, two amendments by Egypt (E/AC.7/L.125) which would have thus restricted the comparisons and data were rejected, respectively, by 9 votes to 4, with 5 abstentions, and by 9 votes to 3, with 6 abstentions.

The joint draft resolution was adopted by the Social Committee (E/2305) to 11 votes to 3, with 4 abstentions, and by the Council at its 659th plenary meeting on 25 July by 12 votes to 3, with 2 abstentions, as resolution 434 B (XIV) (see below).

At its 660th and 661st plenary meetings the Council considered four draft resolutions which also had been presented as a result of the debate: by the USSR (E/L.414), by Canada (E/L.435 and E/L.436) and jointly by Belgium, Cuba, Egypt, France, Pakistan, the Philippines and the United States (E/L.408/Rev.2). The representative of Canada stated that, since the joint draft resolution corresponded to a large extent to his delegation's views, he would withdraw the two Canadian draft resolutions.

The USSR representative proposed (E/L.414) that the Council observe that the United Nations and the specialized agencies had not prepared recommendations on such important social questions as action to check the decline in the workers' standard of living, assistance to the unemployed and their families, provision of social insurance, and welfare services. He further proposed that the Council decide to include the following matters in the 1953 programme of work for the Council and its appropriate commissions, with a view to the preparation of concrete recommendations:

"(1) Extension of social insurance and assistance in unemployment, old age, disablement and sickness and of maternal and child welfare services;

"(2) Promotion of greater accessibility of education for the broad masses of the population, and introduction in the States Members of the United Nations of free compulsory primary education for all citizens without distinction of any kind on grounds of race, sex, language, religion, material situation and social origin;

"(3) Greater accessibility of medical services for the population without discrimination on grounds of race, sex, language, religion, material situation, and social origin;

"(4) Expansion of the construction of dwellings available to the broad masses of the population;

"(5) Improvement of the position with regard to public health, education and social welfare in Non-Self-Governing and Trust Territories."

The Council rejected the proposal in paragraph votes ranging from 11 to 3, with 4 abstentions, to 8 to 4, with 5 abstentions. It also rejected by 6 votes to 3, with 9 abstentions, an Argentine amendment (E/L.450) to the USSR proposal which would have had the Council, instead, decide to hold a brief series of meetings during or shortly after the next regular session of the General Assembly to consider these matters with a view to preparing concrete recommendations.

At its 661st plenary meeting on 28 July the Council adopted the joint draft resolution (E/408/Rev.2) by 5 votes to none, with 3 abstentions (resolution 434 A (XIV)).

Resolutions 434 A & B (XIV) read:

"The Economic and Social Council

"1. Commends the Secretary-General and the specialized agencies concerned for the preparation of the preliminary report on the world social situation;

"2. Draws the attention of States Members of the United Nations and of the specialized agencies to the report and, in light of it, invites their suggestions and recommendations in connexion with the drawing-up of the programme of practical action to which resolution 535 (VI) of the General Assembly refers;

"3. Recognizes the essential interdependence between the improvement of social conditions and the raising of living standards, and the urgency of breaking the vicious circle of disease, ignorance and poverty that affects more than half of the world's population;

"4. Transmits the report to the specialized agencies for appropriate action within their fields and invites their recommendations concerning the development of programmes of practical action in the social field;

"5. Invites the Secretary-General, in consultation with the executive heads of the specialized agencies concerned, to prepare and submit to the Social Commission and to the Council in 1953, any suggestions in this matter that, in his opinion, would be useful to them;

"6. Authorizes the Social Commission to hold its regular session in 1953, with a special request to make recommendations to the Council in 1953 on a programme of concerted action in the social field in accordance with resolution 535 (VI) of the General Assembly, taking into account the priorities in the social field established by the Council during its present session and the opinions expressed by the States Members of the United Nations, the specialized agencies and the Secretary-General as well as the decisions taken and the views expressed in the consideration of the report of the world social situation during the present session of the Council;

"7. Requests the Secretary-General, in co-operation with the specialized agencies and the appropriate non-governmental organizations:

"(a) To prepare for publication in 1954 a supplementary report dealing with a survey of national and

international measures taken to improve social conditions throughout the world;

"(b) To prepare a second edition of the report on the world social situation, for publication in 1956, including the changes which have taken place;

"8. Draws the attention of governments to the urgent need for increased national effort and international co-operation in the social field, with special emphasis on social problems which have direct bearing on economic development."

B

"The Economic and Social Council,

"Noting the request by the General Assembly in resolution 527 (VI) that the Economic and Social Council "... provide for the working out of adequate statistical methods and techniques so as best to facilitate the gathering and use of pertinent data in order to enable the Secretary-General to publish regular annual reports showing changes in absolute levels of living conditions in all countries and which would permit the study of this problem in the light of changing general economic conditions',

"Noting that a study of methods of measuring standards of living in less developed areas has been recommended in the work programme of the Social Commission for 1953,

"Noting also the continuing interest of the International Labour Organisation in this problem,

"Requests the Secretary-General, in co-operation with the International Labour Organisation and other appropriate specialized agencies, to convene a small group of experts to prepare a report on the most satisfactory methods of defining and measuring standards of living and changes therein in the various countries, having regard to the possibility of international comparisons, to obtain the comments and recommendations of the Statistical Commission and the Social Commission thereon, and to report to the Economic and Social Council at an early date."

C. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The Assembly at the 465th to 469th meetings of its Third Committee from 4 to 9 December and at its 409th plenary meeting on 20 December 1952 had before it Chapter IV¹⁴⁷ of the Report of the Economic and Social Council (A/2172) dealing with social questions.

In this connexion, it also had before it the Preliminary Report on the World Social Situation (E/CN.5/267/Rev.1). In commenting on the latter report, there was general agreement that the work of the Council should be directed toward raising living standards, and that improvements in health, food and nutrition, education, income, housing, employment, and conditions of work were among the most important elements to be considered. The relationship between economic and social problems and the need for integrated

¹⁴⁷ Except Section VI on Refugees.

action was also stressed. The Ukrainian SSR and the USSR representatives emphasized the need for Council action on questions of social security, equal rights, and equal pay for equal work, without regard to race, sex and religion, and stated that the Council had failed to fulfil its obligations in this respect.

The majority of the members of the Committee expressed satisfaction with the report and regarded it as one of the most important documents published by the United Nations and as affording a basis for practical action toward the solution of social problems. In general, the same points were made as during the discussion in the Council. Some representatives, among them those of Iraq, the Philippines and Yugoslavia, regretted that the Council had not provided more guidance to the Social Commission and felt that the Third Committee should make specific recommendations. The Polish representative emphasized that it was the duty of the Committee to analyse the true situation and to act upon its conclusions. Failing Third Committee action, the representative of the Philippines urged that Member Governments should reply to requests for suggestions on practical action in time for the Social Commission's consideration in the spring of 1953 and should appoint highly qualified representatives to the Commission with definite instructions.

The representatives of Argentina and Greece stressed the need for concerted action to eliminate the growing gulf between the rich and poor countries. The Argentine representative thought that the report gave the erroneous impression that only the under-developed countries were affected. It was necessary for all countries and governments, particularly those in a privileged position, to take measures to promote co-ordinated and integrated economic development to eliminate the instability which seriously threatened peace and which would continue to exist while so many of the world's inhabitants were condemned to abject poverty. He therefore submitted a draft resolution (A/C.3/L.139/Rev.1) which would stress particularly the ideas that economic and social factors were interrelated and that planned action on the basis of an integrated programme was necessary. The draft resolution called for greater co-ordination between the studies and activities carried out in connexion with social questions and questions relating to the economic development of countries in the process of development.

The representative of Argentina accepted an oral amendment by Canada to the third operative

paragraph (see below) to replace the words "to forward the growth of" by the words "its efforts to increase the. . ." The draft resolution, as amended, was adopted (A/2333 B) by the Third Committee at its 469th meeting on 9 December by 42 votes to none, with 5 abstentions, and by the Assembly at its 409th plenary meeting on 20 December by 38 votes to none, with 5 abstentions, as resolution 642 (VII). It read:

"The General Assembly,

"Recognizing that the conditions necessary for social welfare are many and varied and are inter-related, and are connected also with the factors necessary for economic development,

"Considering that the effectiveness of both national efforts and international co-operation for social welfare will be increased to the extent that they are carried out on the basis of integrated programmes taking into account the various economic and social conditions and factors and their mutual relationships,

"1. Draws the attention of Member States to the desirability of framing integrated programmes taking into account the various economic and social conditions and factors and their mutual relationships, with a view to promoting the improvement of the living conditions of the peoples;

"2. Recommends to the Economic and Social Council that international co-operation for the improvement of the living conditions of the peoples, initiated at the request of Member States, should be carried out on the basis of integrated programmes in the manner specified in the foregoing paragraph;

"3. Likewise recommends the Economic and Social Council to continue its efforts to increase the co-ordination between the studies and activities carried out in connexion with social questions and questions relating to the economic development of the countries in process of development."

2. Advisory Social Welfare Services

a. CONSIDERATION OF THE PROGRAMME

In submitting the draft work programme for the years 1952 and 1953 to the Social Commission at its seventh session,¹⁴⁸ the Secretary-General had proposed that an evaluation be made of the programme of advisory social welfare services rendered during the first five years of operation. The Social Commission had welcomed this proposal and the Secretary-General accordingly submitted two reports to the Commission at its eighth session, held from 12 to 29 May 1952; one covering advisory social welfare services under General Assembly resolution 418(V)¹⁴⁹ for

¹⁴⁸ See Y.U.N., 1951, p. 546.

¹⁴⁹ 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.

the calendar year 1951 (E/CN.5/265);¹⁵⁰ the other (E/CN.5/266) an evaluation of the programme of advisory social welfare services during the period 1947-51. The latter report reviewed the history and scope of the programme, gave detailed descriptions of the services rendered and analysed the individual services and the programme as a whole.

The Commission noted (E/2247) that, during 1952, the programme had shown an increase over 1951 in terms of experts, fellowships and scholarships. The special programme for Europe had shown a similar increase in exchange of social welfare personnel, regional seminars organized through the medium of the exchange scheme, short-term assignments of experts and the loan service of social welfare films.

The Commission recommended the continuation of the special programme for Europe and the early increase in regional services for less developed areas on the basis of the European experience. With regard to the programme of fellowships, the Commission agreed with the Secretary-General's conclusions: candidates should be given prompt, full information on applications and arrangements; fellowships should be made available to applicants other than government officials; candidates should be carefully screened by national selection committees before their applications were submitted by governments; fellows upon return should work in positions to permit their countries to benefit from their observations abroad.

The Commission considered that progress had been made in implementing the programme of experts. It emphasized that, in general, experts should be not only professionally qualified but should also be familiar with the economic, social, cultural and administrative conditions of the country of assignment, or possess qualities enabling them readily to adapt themselves to those conditions. In view of this, the Commission recommended that use should increasingly be made of the services of those experts who had already had previous field experience in less developed areas.

The Commission stated, however, that it was not ready to recommend at the present stage the formation of a more or less permanent corps of international experts, in view of the importance of maintaining the necessary flexibility to meet the requirements of many and varying requests. For the same reason, the Commission welcomed the initiative taken by the Secretariat of giving a few social welfare officers of the Secretariat temporary assignments as advisers to govern-

ments, which would enable them to obtain or renew field experience in less developed areas.

The Commission reiterated its previous statement to the effect that the request for expert services by governments should be clearly defined and related to the specific needs, conditions and resources of the requesting country.

The Commission stressed that experts should not confine themselves to drawing up plans for the development of services, but should also advise governments on the practical implementation of these plans and on ways to overcome obstacles to such implementation.

Emphasizing the importance of seminars for the study of problems and the exchange of views on a regional basis, the Commission expressed concern at the variation in type and function of seminars. While it recognized that the term "seminar" as defined in General Assembly resolution 418(V) should be interpreted flexibly, it recommended greater attention in the future to defining the purpose and programme of each seminar and in selecting suitable participants.

Discussing the over-all aspects of the programme, the Commission supported the conclusion that governments should aim increasingly at combining the various services available (for example, those for experts, fellowships and seminars), so that each would strengthen the effect of the others. Expressing again its concern in this regard, the Commission emphasized the desirability that governments create appropriate machinery for the internal planning and co-ordination of matters relating to technical assistance, in order to arrive at balanced national programmes and to prevent the overlapping of requests. It also reiterated the importance of a close relationship between the economic and social aspects of development.

The Commission noted with satisfaction that information on measures taken by governments for national co-ordination of technical assistance had been circulated in connexion with the Expanded Programme of technical assistance. It expressed the hope that the Council would urge all governments to create and use national co-ordinating machinery for consideration of requests and projects in the fields of advisory social welfare services and general technical assistance. The Commission suggested that the Secretary-General explore with governments the possibility

¹⁵⁰ For services furnished during 1951, see Y.U.N., 1951, p. 547.

of appointing national correspondents to further co-operation with governments in this field.

The Commission expressed general appreciation of the progress made in integrating the programme for direct assistance to governments with its regular programme of studies and research. It agreed that social welfare projects in the technical assistance field should receive maximum assistance from the Division of Social Welfare and welcomed the development of joint projects by the United Nations and the specialized agencies. The Commission also expressed its satisfaction with the progress made in the co-ordination on a regional and country-to-country basis between the programme of Advisory Social Welfare Services and other international programmes of technical assistance.

The Commission agreed that regional social welfare advisers had important functions in assisting individual governments and regions in matters relating to technical assistance, and endorsed the Secretary-General's intention to continue and extend the use of regional advisers and to strengthen regional staffs wherever possible.

In view of the fact that expenditures in the past had, as a result of unusual conditions, remained somewhat below budget allocations and that conditions and problems of countries in the same region were often similar, the Commission recommended to the Council that it might instruct the Secretary-General to explore with governments the possibility of inaugurating one or more long-term regional projects to meet the urgent needs of governments in specific fields of priority in the Commission's work programme.

Believing that the programme of advisory social welfare services should be better known, the Commission requested the Secretary-General to arrange for the printing and wide circulation of his report (E/CN.5/266).

The Council, at its fourteenth session, at the 223rd and 224th meetings of its Social Committee on 18 and 21 July and at its 659th plenary meeting on 25 July 1952, briefly reviewed the recommendations of the Social Commission concerning advisory social welfare services and, in general, supported its views. Among other things, the representatives of Belgium, France, the United States, and Uruguay approved of the Commission's decision that experts should be familiar with the countries in which they were assigned. The representatives of Canada and the United States also emphasized the need for periodic assessments of the services rendered along the lines of the Secretary-General's report on the first five

years of the programme. The representative of the United Kingdom considered the advisory social welfare services an essential part of the technical assistance programme and thought that credits set aside for technical assistance should be used to help the most needy. The Philippine representative suggested that it would be useful to set up a permanent system of advisory social welfare services which would fulfil the same role as the regional economic commissions in the economic field.

After approving a Canadian proposal to refer to the views expressed by the Council as well as those expressed by the Social Commission, the Commission's draft resolution, as amended, was adopted unanimously by the Social Committee (E/2305 II B) at its 224th meeting, and by the Council at its 659th plenary meeting as resolution 434 D (XIV). By this resolution, the Council recognized the importance of the advisory social welfare services, recalled the initial emphasis and sustained support given the programme by the Social Commission and requested the Secretary-General to continue to emphasize this field of work, carrying out the programme in accordance with General Assembly resolution 418(V) and paying due observance to the views expressed by the Social Commission at its eighth session and by the Council.

b. ADVISORY SOCIAL WELFARE SERVICES FURNISHED DURING 1952

During 1952 a total of 52 social welfare experts were sent to 27 countries. Their fields of activity included: social casework; housing and town planning; welfare of crippled children; welfare of the blind and deaf; maternal and child welfare; administration of health centres; youth recreational activities; community development; demographic questions; social defence; medical social work; social welfare training, policy and administration; and refugee resettlement. Six social welfare experts were also supplied to a joint field mission (joint TAB project) on indigenous populations which visited Bolivia, Ecuador and Peru. Also in co-operation with the specialized agencies concerned, the United Nations sent small survey missions to Central America and the Caribbean, Asia and the Far East, and the Middle East to visit and review selected community development projects.

In addition to these expert services, the United Nations has continued to assist governments in the European region by arranging for the exchange of experts on a short-term basis. During

1952 eleven experts were made available by three countries to requesting governments.

With regard to social welfare fellowships and scholarships, 280 awards were given in 1952, of which 152 were financed from funds allocated from the regular budget of the United Nations (General Assembly resolution 418(V)) and 128 were financed from the Special Account set up in connexion with the Expanded Programme of technical assistance.

In order to extend the benefits of observation abroad for shorter periods of time to a number of practising social workers and officials, an experimental project was launched in Europe in 1950 to promote the intra-European exchange of social welfare personnel. Under this scheme, the United Nations regional office in Geneva acts as a co-ordinating agency for bilateral and multi-lateral arrangements between national exchange committees. ILO collaborates in this scheme. During 1952, 236 social workers were enabled to spend two to four weeks in a neighbouring country to observe social welfare practices or to attend seminars arranged under the Exchange Programme.

A third social welfare seminar for the Arab States of the Middle East was held in Damascus, Syria, in December. The objective of this seminar was to continue and to supplement the work already accomplished in two earlier social welfare seminars, held in Beirut and in Cairo, by assisting and stimulating the participating governments in their efforts to improve the economic and social conditions of their populations and by helping the governments plan a co-ordinated approach to the planning and administration of social services.

In London, a seminar on probation was held in October and was attended by national teams representing the judiciary of each country as well as services connected with correctional administration, social work training and probation. The countries represented were: Austria, Belgium, Denmark, Finland, France, Federal Republic of Germany, Greece, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland, the United Kingdom and Yugoslavia.

A group training course on the rehabilitation of handicapped adults was held from September to November in Denmark, Finland and Sweden under the joint sponsorship of the Governments of these countries and of the United Nations, WHO and ILO. It was attended by national teams, comprising specialists on various aspects of the rehabilitation of the physically handicapped

from the sponsoring countries and from Austria, Greece, Italy, the Netherlands and Norway. The basic intention of the course was to emphasize the way in which medical, technical, occupational and social aspects could be fused in an integrated service, and to enable participants to study developments in the techniques of rehabilitation, with particular emphasis on their psychological, social and industrial aspects.

"Exchange Plan" seminars were held in Geneva for English-speaking participants; in Keuruu, Finland, for the benefit of 63 English-speaking professional social workers from Exchange Plan countries; and in Oslo, Norway, for 38 persons from Belgium, Denmark, Finland, France, Germany, Netherlands, Norway, Sweden, United Kingdom and Yugoslavia. The seminars were, respectively, concerned with the principles and techniques of social casework; the teaching and supervision of social casework; and on the foster home care of children.

A national demonstration centre on the rehabilitation of the physically handicapped was opened in Belgrade, Yugoslavia, in October and the establishment of national demonstration centres for the blind was under way in Turkey and Egypt. A joint United Nations-WHO mission of two experts left in August 1952 for an eight-week visit to five Latin American countries to survey the possibilities of establishing one or more regional demonstration and training centres for the rehabilitation of the physically handicapped.

Technical publications were furnished in connexion with the work of experts in fifteen countries and one or more kits of standard volumes in the housing and town and country planning field were furnished to 34 countries and twelve territories and colonies. Equipment was furnished to five demonstration centres and 316 social welfare films were loaned.

3. Family and Child Welfare

The Commission at its eighth session had before it two reports by the Secretary-General which it had requested at its seventh session: an integrated programme for meeting the needs of children (E/CN.5/256) and a report on the extension of specific measures relating to maternity, infant and child care (E/CN.5/257).

The Commission agreed with the recommendations of the Administrative Committee on Co-ordination (ACC) (E/2161 and Corr.1) that in the development of an integrated programme of child welfare, priority should be given by

the United Nations, including UNICEF and TAA, and the specialized agencies to two types of programmes:

(a) assistance to governments in assessing existing services for children and in developing broad and well balanced national programmes for child services within the framework of a general plan for national social services, with indications of the most effective type of international assistance required; and (b) the development of plans for protection and normal development of children and for training health, nutrition and welfare personnel at professional levels and as auxiliary workers, and of methods to increase as rapidly as possible their number and use, particularly in rural areas.

The Commission asked that the proposed list of specific measures (E/CN.4/257), including measures essential to social security of the family, be amplified; that proposed methods and activities be examined by regions and with reference to related services, and that these proposals be assembled in convenient form for the use of governments and technical advisers.

It proposed that, by means of regional seminars, those countries which had received international help in assessing needs and planning the development of their child welfare services should share their experience with neighbouring countries with similar problems.

The Commission also considered a final report by the Secretary-General on children deprived of a normal home life (E/CN.5/271 and Add.1), having at its seventh session deferred consideration of a draft report on children homeless in their native countries (E/CN.5/237) to permit its circulation to governments for comment. The conclusions and recommendations in chapter VII of the final report were unanimously approved by the Commission.

Among other things, it stressed that a child should, as far as possible, remain in his own home with his own parents; services to strengthen the family were therefore of basic importance. If it were necessary to remove a child, foster-family homes should be considered first as providing the type of care which came closest to that the child would receive in his own home, and institutional care should be considered only when other solutions were not possible. The report also emphasized the need for specially trained personnel, recognition of the basic rights of children deprived of a normal home life, and the special responsibilities of governments towards such children.

The Council at the 224th meeting of its Social Committee on 21 July and at its 659th plenary meeting on 25 July 1952 considered the draft resolution on family and child welfare proposed

by the Social Commission (E/2247). It expressed approval of this draft as presenting a satisfactory plan for the preparation of an integrated programme for child welfare, in accordance with the high priority given by its Committee on Co-ordination to the strengthening of national programmes for child welfare.¹⁵¹

Following the acceptance of a minor drafting amendment by the Social Committee, the resolution was unanimously adopted by the Committee (E/2305) and by the Council in plenary session. In resolution 434 E (XIV), the Council, *inter alia*, requested the Secretary-General, in co-operation with UNICEF, the specialized agencies, interested non-governmental organizations and other international bodies:

(a) to encourage and assist governments to assess the extent to which development of services of children are necessary, with a view to formulating and carrying out a plan of action applicable to both rural and urban areas, and indicating, where necessary, the type of international assistance required;

(b) to develop plans for the training of sufficient personnel;

(c) to develop further in all phases the integrated programme presented to the Social Commission at its eighth session (E/CN.5/256 and 257) for meeting the needs of children;

(d) to concentrate attention on provision of adequate nutrition, with special reference to countries where adequate feeding is still a fundamental problem;

(e) to report progress on these activities to the next session of the Commission. The Council further recommended that special attention in the further development of child welfare programmes be given to underdeveloped areas, and urged governments to take appropriate steps to develop their child welfare programmes along the lines proposed.

4. In-Service Training of Social Welfare Personnel

The Social Commission, at its eighth session, had before it a report by the Secretary-General, "In-Service Training for Social Welfare" (E/CN.5/261),¹⁵² one of a series of studies initiated by Council resolution 43 (IV)¹⁵³ on ways of developing a long-term welfare training programme of assistance to governments. The report dealt with the general principles, administration, range, content and methods of in-service training. The Commission recognized that in-service training and formal training in schools of social work and

¹⁵¹ See p. 539.

¹⁵² Subsequently issued (with the inclusion, in an annex, of the principles recommended by the Commission at its eighth session) as E/CN.5/261/Rev.1 and as U.N.P., Sales No.: 1952.IV.9.

¹⁵³ See Y.U.N., 1946-47, p. 516.

similar institutions, as discussed at earlier sessions, were equally necessary and mutually complementary means of providing the training required. Recognizing the importance of maintaining high standards of professional training, the Commission reaffirmed the principles concerning social work training which it had formulated at its previous session.¹⁵⁴ At the same time, it recognized the great need for workers in the social field and of recourse to in-service training for both formally trained and untrained persons. It therefore adopted (E/2247) the following principles and proposed that the Council recommend them to the attention of Member States.

(1) Training for social work should take as many forms as appropriate to the needs of various countries.

(2) In-service training programmes should be regarded as essential in the administration of a social welfare organization and necessary to all categories of social welfare personnel, including persons who have as well as those who have not received formal training.

(3) In-service training should be regarded as complementary to a formal course of professional training rather than as a substitute for it.

(4) Training programmes should make the fullest use of available training facilities such as universities, special schools of social work and other recognized institutions, and in social welfare organizations a qualified officer should be assigned responsibility for promoting staff development.

The Commission recommended that the Secretary-General, in consultation with the specialized agencies concerned, should assist requesting governments in the development of necessary forms of social welfare training, including in-service training.

The Council's Social Committee at its 224th meeting on 21 July unanimously adopted a resolution (E/2305 II D) which was, in turn, unanimously adopted by the Council at its 659th plenary meeting on 25 July as resolution 434 F (XIV). By it, the Council recommended that Member States give due attention to the principles adopted by the Social Commission concerning in-service training of social welfare personnel.

5. Housing and Town and Country Planning

a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS EIGHTH SESSION

The Social Commission, at its eighth session in May 1952, had before it an interim report (E/CN.5/264) on current information on urban land policies, summarizing the preliminary findings of a study (ST/SOA/9) which was subsequently circulated to Member States and to indi-

vidual experts for comment. The preliminary study, the report indicated, had surveyed urban land policies in developed areas and was intended primarily to assist less developed countries in formulating policies which would enable them to cope with their current problems of housing and urban redevelopment, particularly in connexion with land cost. Although no recommendations had been drawn up, the report stated, certain trends had been defined in the study and certain inferences had been drawn. The Commission noted that, following the receipt of the comments, the study would be revised and published as a special issue of the bulletin, *Housing and, Town and, Country Planning*.

The Commission expressed interest in the relationship between the cost of the construction of dwellings and the expenditures for community services and public utilities in new housing projects. It was generally agreed that practical recommendations on urban land policies could be most appropriately developed at meetings of experts and that priority in convening such meetings should be given to the Asian and Far Eastern regions.

The Commission also took note of the description of the world housing situation contained in the Preliminary Report on the World Social Situation (E/CN.5/267)¹⁵⁵ and stressed that the use of self-help methods in less developed areas should be increased. The Secretariat was also asked to submit to the Commission a progress report on work undertaken in under-developed countries to relieve the housing problem.

The Social Commission, in connexion with General Assembly resolution 537(VI),¹⁵⁶ also discussed the financing of housing from domestic and external sources.

It adopted a resolution on the financing of housing and community development, recommending that the Council ask the Secretary-General, *inter alia*, to explore the possibility of financing housing and community development from external sources, and in this connexion to give particular attention to: housing for low income groups, the fullest utilization of local sources of building materials, the efficiency of the building industries and the advisability of promoting and financing the establishment of industries producing building materials in countries which had to import a considerable proportion of such materials. The Secretary-General was also re-

¹⁵⁴ See Y.U.N., 1951, p. 535.

¹⁵⁵ See also above, under World Social Situation.

¹⁵⁶ See Y.U.N., 1951, pp. 543-44.

quested to pay special attention to the needs and economic conditions of under-developed countries whose housing facilities had deteriorated owing to war destruction, and to report to the appropriate organs of the United Nations (E/2247) on the progress made.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

The Council at the 225th and 226th meetings of its Social Committee on 21 and 22 July and at its 659th plenary meeting on 25 July 1952 had before it the relevant portions of the Social Commission's report (E/2247) and a background memorandum by the Secretary-General on housing and town and country planning (E/2284). The Council noted the emphasis placed by the Commission on the study of the possibility of financing housing and community development from external sources. The majority of the Council, however, considered that, while financing of housing programmes was largely a domestic responsibility of governments, external aid should not be excluded. International action in this field, within the framework of the technical assistance programme, could be of particular value.

The Swedish representative pointed out that the financing of housing from external sources was not a question of primary importance but was related to the complex and permanent problem of economic financing as a whole and should be studied in relation to it. The representative of the Philippines pointed out that the Assembly in paragraph (e) of resolution 537(VI) had asked the Council to study measures to assist governments in financing housing programmes from domestic or external sources. Therefore, he said, the latter should not be overlooked, nor should the use of domestic sources be unduly stressed.

The Social Committee had before it a revised draft resolution (E/AC.7/L.127/Rev.1) by Iran and Sweden which was subsequently adopted by the Committee and by the Council in plenary session with the following amendments.

(1) By 11 votes to 2, with 5 abstentions, the Committee adopted an Argentine proposal to recommend that governments also consider measures to encourage the trade between countries in building materials and equipment.

(2) By 9 votes to 8, with 1 abstention, the Committee adopted a Philippine amendment (E/AC.7/L.131), revised orally, to the second operative paragraph which, instead of requesting

studies dealing particularly with domestic sources of financing, would ask the Secretary-General to complete for early consideration the studies referred to in Assembly resolution 537(VI) (and in particular in paragraph (e)). Prior to voting on the paragraph, the Committee adopted the last phrase, referring to paragraph (e), by 8 votes to 3, with 7 abstentions.

The Committee at its 226th meeting on 22 July adopted (E/2305 III) the amended text, as a whole, by 14 votes to none, with 4 abstentions. The Council, however, at its 659th plenary meeting on 25 July, by a vote of 8 to 8, with 2 abstentions, decided to delete the second operative paragraph. In this connexion, the Assistant Secretary-General in charge of the Department of Social Affairs assured the Council that the study on financing of housing from domestic and external sources was contained in the work programme of the Secretariat, and that the Secretariat would endeavour to carry out the entire programme as rapidly as possible.

The amended draft resolution was then adopted by 15 votes to none, with 3 abstentions, as resolution 434 I (XIV). It read:

"The Economic and Social Council,

"Having noted the request of the General Assembly in its resolution 537 (VI) of 2 February 1952, to give urgent attention to practical measures to assist governments in increasing available housing facilities for people in the lowest income groups (A/2119),

"Having noted the extent of the problem of housing and community improvement as reflected in the Secretary-General's preliminary report on the World Social Situation (E/CN.5/267, chapter V),

"Having considered:

"(a) The Social Commission's resolution on financing of housing and community development adopted at its eighth session (E/2247),

"(b) The progress made in implementing the Social Commission's work programme in the fields of housing, town and country planning, and building (E/2284),

"(c) The increasing collaboration in this programme among regional economic commissions, specialized agencies and interested non-governmental organizations, and

"(d) The growing volume of requests by governments for direct assistance in the form of expert advice, training opportunities, and demonstration projects,

"Having noted that governments are assuming an increasing responsibility for the programming and financing of housing and community services as part of general economic and social development,

"1. Recommends governments:

"(a) To develop, particularly for the benefit of people in low income groups, long term policies and comprehensive programmes of housing and community improvement and encourage their realization on a continuing basis;

"(b) To facilitate the exchange among nations of information on research and practical experience in housing, community planning and the building industry;

"(c) To consider measures encouraging the trade between countries in building materials and equipment;

"(d) To encourage, with the help of interested organizations of employers and of employees, higher productivity and development of the building industry and the manufacture of building materials from local sources, including agricultural and industrial wastes and by-products;

"2. Invites the regional economic commissions to assist governments to carry out the recommendations under paragraph 1 by initiating or developing, where appropriate, regional activities pertaining to building, housing and town and country planning in co-operation with the specialized agencies, inter-governmental and non-governmental organizations;

"3. Recommends that the Technical Assistance Board develops further its activities pertaining to housing, community planning and building;

"4. Suggests, in connexion with the above recommendations (paragraphs 1 to 3), that the special needs and economic conditions of the less developed countries be taken into consideration."

6. Rehabilitation of the Physically Handicapped

In accordance with Council resolution 309 E (XI) requesting the Secretary-General "to plan jointly with the specialized agencies and in consultation with the interested non-governmental organizations a well co-ordinated programme for the rehabilitation of physically handicapped persons", the Commission at its eighth session had before it the report of the Secretary-General on an international rehabilitation programme for the physically handicapped (E/CN.5/259).

The report described the steps which had been taken in practical implementation of the programme.¹⁵⁷ The proposed programme as jointly considered and approved by the United Nations, ILO, WHO, UNESCO, UNICEF and IRO was outlined under ten headings:

(1) a new approach to disability; (2) the education of public opinion; (3) a complete rehabilitation service; (4) building up a rehabilitation programme; (5) developing rehabilitation services; (6) training rehabilitation personnel; (7) organizing and financing of rehabilitation services within governments; (8) the contribution of the United Nations and the specialized agencies; (9) the contribution of the non-governmental organizations; and (10) methods of co-ordination.

The Commission also examined, as part of the co-ordinated programme for the rehabilitation of the physically handicapped, a report on an international programme for the welfare of the blind (E/CN.5/260). The report dealt with the incidence of blindness, definition, prevention, edu-

cation, vocational training and employment, teachers and workers for the blind, placement officers, administrators of blind welfare, social security provisions, special techniques and appliances and the spreading of information on work for the blind. It recommended a general programme for the education, rehabilitation, training and employment of the visually handicapped.

The Commission approved (E/2247) the proposals for an international programme for the rehabilitation of the physically handicapped and for the prevention and treatment of blindness. It invited the Secretary-General, in co-operation with the specialized agencies and interested non-governmental organizations, to undertake those projects authorized in the work programme, which for 1952-53 included rehabilitation of the handicapped, rehabilitation of physically handicapped persons in under-developed areas and welfare of the deaf. The Commission urged that direct assistance to under-developed countries be intensified and expanded so that realistic rehabilitation programmes could be worked out, including a programme for the prevention of blindness and the welfare of the blind.

By resolution 451 A (XIV)¹⁵⁸ the Economic and Social Council decided to include in its priority programme the provision of assistance to the disabled; and by resolution 434 H (XIV) (see below) the Council approved the work programme of the Social Commission and the specific projects recommended by the Commission.

7. Social Defence

During 1952 the United Nations, in co-operation with the specialized agencies concerned and the interested non-governmental organizations, continued its programme¹⁵⁹ in the field of the prevention of crime and the treatment of offenders, as well as for the suppression of the traffic in persons and of the exploitation of the prostitution of others.

In accordance with Assembly resolution 415 (V),¹⁶⁰ which set forth a programme of action following the transfer of the functions of the International Penal and Penitentiary Commission (IPPC) to the United Nations, the first regional conference concerned with the prevention of crime and the treatment of offenders was held in December 1952 at Geneva. Representatives of thir-

¹⁵⁷ See also under Advisory Social Welfare Services.

¹⁵⁸ See p. 539.

¹⁵⁹ See also under Advisory Social Welfare Services.

¹⁶⁰ See Y.U.N., 1950, pp. 655-56.

teen European countries, observers from, among others, Burma, Japan and the United States, and representatives of the specialized agencies and non-governmental organizations concerned participated. The conference dealt with: standard minimum rules for the treatment of prisoners; recruitment, training and status of the staff of penal and correctional institutions; open penal and correctional institutions; a study of criminality; and the treatment of juvenile delinquents. Discussions were also held on ways and means of utilizing technical assistance techniques in advancing national programmes in the field of social defence. The conference, among other things, made suggestions to the Secretary-General concerning future United Nations action.

The fourth conference of representatives of specialized agencies and non-governmental organizations on this subject was also held in December 1952 at Geneva. The aim of these conferences is to co-ordinate and stimulate international action carried out by a large number of international organizations in the field of the prevention of crime and the treatment of offenders.

A European Seminar on Probation, in which teams of specialists from seventeen countries as well as observers from several international and national non-governmental organizations participated, was held in London in October 1952. Technical problems of an administrative and legal nature were studied and major emphasis was placed on the practical aspect of probation services.

During the year comparative regional surveys dealing with the treatment of juvenile delinquents, based on national studies which had been in progress for some time, were completed, and three reports relating to North America, Europe and Latin America were published (ST/SOA/SD/1 and Add.1 and 2).

Two issues of the International Review of Criminal Policy were published (ST/SOA/SER.M.1 and 2). The first was designed to familiarize the reader with the work and programme of the United Nations in the field. The second contained articles on open institutions and the treatment of offenders, notes and communications on the subjects constituting the United Nations current programme of work.

With regard to the suppression of the traffic in persons and the exploitation of the prostitution of others, the summary of annual reports for the period 1948-50 was prepared by the Secretariat and published in August 1952 (E/TWC/Summary 1948-50). Future reports on this subject are to be based on the new questionnaire which

has been prepared as a result of the adoption by the General Assembly, on 2 December 1949, of a consolidated Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

The Secretariat continued its programme of action in this field.

8. General Work Programme

The Commission, at its eighth session, reviewed the progress made by the Secretariat in carrying out its work programme (E/CN.5/268). It also took note of two reports, "Methods of Administering Assistance to the Needy" (E/CN.5/273) and "Economic Measures in Favour of the Family" (ST/SOA/8), which had been prepared at its request.

In compliance with Council resolution 402 (XIII), the work programme approved by the Commission was organized into four main fields of activity: social policy and development; social services; housing and town and country planning; and social defence. Within those groups, projects or functions were divided into categories as follows: (a) continuing functions and projects of high priority; (b) ad hoc projects of high priority; and (c) projects to be deferred or undertaken only in so far as resources permit.

The full programme, as recommended by the Commission, was included in annex II of its report to the Council (E/2247). In preparing its programme, the Commission combined a number of projects appearing in earlier work programmes, deferred less urgent projects and laid stress on those continuing functions and ad hoc projects likely to provide practical solutions to social problems facing many Member States. At the same time, the Commission recognized that major changes in the programme would be premature until such time as the Council had completed the detailed examination of activities in the social field, as requested by General Assembly resolution 535 (VI), and, in the light of this fact, *inter alia*, it recommended that this question be placed on its own agenda in 1953.

The absence of problems of social security, education and health from the work programme of the Commission was questioned by some members who sought their inclusion in studies for 1952-54. Most representatives, however, while sharing concern for these important problems, thought they were the proper concern of the specialized agencies and that their inclusion in

the Commission's work programme would entail duplication of effort.

The Commission, instead of making specific additions to its own programme, decided to recommend to the Council that the United Nations and the specialized agencies, as soon as possible, give special attention to the following questions, with a view to drafting practical recommendations thereon:

(1) social security measures such as social insurance and social assistance for the unemployed, the aged, the sick, dependent children and other needy groups; (2) the availability of education and the introduction of free compulsory elementary education for all; (3) the availability for all of measures for the maintenance of good health and the prevention and treatment of disease; and (4) measures to be taken immediately to promote social progress.

The Council during its fourteenth session considered the report of the Social Commission specifically at the 224th to 226th meetings of its Social Committee on 21 and 22 July and at its 659th, 661st and 663rd plenary meetings on 25, 28 and 29 July 1952. The USSR considered that problems of social security, education and health should be included in the work programme. The majority agreed that the main programmes in these fields were the concern of the specialized agencies or of other United Nations bodies.¹⁶¹ The representatives of Belgium, the United Kingdom and the United States stressed that the expenditure entailed by the execution of the programme would not be greater than that provided for 1952.

Following the acceptance of an oral Philippine amendment to draw the Commission's attention to the Council's discussions on the work programme for its general guidance, the Social Committee, at its 225th meeting on 21 July adopted

(E/2305 II F) by 14 votes to none, with 3 abstentions, a Canadian draft resolution (E/AC.7/L.128) concerning the work programme. The Council at its 663rd plenary meeting on 29 July adopted by 12 votes to none, with 5 abstentions, a United States amendment (E/L.452) which would also call to the Commission's attention the Council's action on United Nations priority programmes.¹⁶² The resolution, thus amended, was adopted by 14 votes to none, with 3 abstentions, as resolution 434 H (XIV) (see below).

By 14 votes to none, with 3 abstentions, the Social Committee at its 226th meeting on 22 July adopted (E/2305) a draft resolution proposed by the Chairman noting the Commission's report. Following the adoption, by 9 votes to 4, with 5 abstentions, of an oral amendment by Uruguay to include an expression of the Council's satisfaction with the Commission's work, the resolution was adopted by 15 votes to 3, as resolution 434 C (XIV).

The representatives of Czechoslovakia and the USSR stated they had voted against the resolution because they did not consider the Commission's work satisfactory.

By resolution 434 H (XIV), the Council approved the work programme drawn up by the Social Commission at its eighth session and invited the attention of the Commission to the record of its discussions on the programme and to section II on United Nations priority programmes in the report of the Co-ordination Committee as approved by the Council.

By resolution 434 C (XIV), the Council took note with appreciation of the Social Commission's report.

P. UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND (UNICEF)

The Executive Board of UNICEF held two sessions in 1952, from 22 to 24 April and from 6 to 10 October. The officers and the members of the Programme Committee and the Committee on Administrative Budget for 1952 were elected¹⁶³ at a special meeting of the 1952 Executive Board held on 12 November 1951.

1. UNICEF Assistance During 1952

The Executive Board in 1952 approved allocations totalling \$16,776,600, as follows:

	Long-Range Aid	Emergency
Africa	\$1,000,000	————
Asia	3,902,000	\$ 813,000
Eastern Mediterranean area	1,371,000	3,115,000
Europe	933,000	————
Latin America	1,483,500	550,000

¹⁶¹ For the discussion of priorities, see under Questions of Co-ordination and Relations with Specialized Agencies: see also under World Social Situation for views expressed.

¹⁶² See pp. 538-41.

¹⁶³ For members of the Executive Board and subsidiary bodies of UNICEF, see pp. 38-39.

	Long-Range Aid	Emergency Aid
Assistance benefiting more than one region	<u>370,000</u>	<u> </u>
	<u>\$9,059,300</u>	<u>\$ 4,478,000</u>
TOTAL Long-Range and Emergency Aid		\$13,537,500
Other assistance:		
Freight		852,000
Operational services		129,400
Administration		2,257,700
		<u>\$16,776,600</u>

a. EMERGENCY AID

The emergency aid allocated by the Executive Board in 1952, which totalled \$4,478,000, constituted about one third of the total aid approved (excluding freight and operational services). Of this amount, the largest allocations, totalling \$3,115,000, were in connexion with aid for Palestine refugees (mothers and children in care of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE), and "economic refugees" in Egypt and Jordan). Other emergency aid, which constituted about 13 per cent of total aid approved, was for children and mothers in drought-stricken areas of Brazil and India, and for refugees from a volcano-stricken area in the Philippines.

The Executive Board in April 1952 discussed the policy issues involved in continued assistance by UNICEF for situations which other United Nations agencies had been created to meet. It agreed, as a matter of policy, not to continue UNICEF aid for Palestine refugee mothers and children beyond 30 November 1952. It did not, however, exclude the possibility of providing aid beyond this period out of gifts in kind to the Fund, or which could be best procured with certain currencies contributed to the Fund. In November 1952 an allocation of \$200,000 was approved along these lines by the Executive Board for the period beyond 30 November 1952.

b. LONG-RANGE AID

Long-range aid totalling over \$9 million was approved during the year for some 80 long-range programmes in 49 countries and territories. In fifteen countries and territories UNICEF aid was approved for the first time during the year, as follows: Africa, seven (Belgian Congo, Cameroons, French Equatorial Africa, French West Africa, Liberia, Ruanda Urundi and Togoland); Asia, two (Cambodia and Vietnam); Eastern Mediterranean area, two (Ethiopia and Sudan); Europe, one (Portugal); Latin America, three (Grenada, St. Lucia and Surinam).

The percentage distribution of long-range aid as between areas was as follows:

	Per Cent
Africa	11.1
Asia	43.1
Eastern Mediterranean	15.2
Europe	10.1
Latin America	16.4
Benefiting more than one region	4.1
	<u>100.0</u>

In terms of types of programmes aided, the percentage distribution was as follows:

	Per cent	Per cent
Maternal and Child Welfare		
Services and Training	35.5	
Mass Health Campaigns		43.2
Anti-malaria	19.9	
Anti-yaws, Bejel, VD	9.1	
BCG anti-tuberculosis vaccination	8.1	
Other	6.1	
Child Nutrition		21.3
Long-range feeding	6.3	
Milk conservation	15.0	

Maternal and Child Welfare Services and Training: To strengthen these basic services, UNICEF aid was approved in 1952 amounting to \$3,211,000 for eleven countries in Asia (Afghanistan, Burma, Ceylon, China (Taiwan), Hong Kong, India, Indonesia, Pakistan, Philippines, Thailand and Vietnam); four countries in the Eastern Mediterranean region (Iran, Jordan, Libya and Syria); three countries in Europe (Greece, Portugal and Yugoslavia); and two countries in Latin America (Panama and Paraguay). Included was further aid for the International Children's Centre in Paris, engaged in international teaching and research work in the field of maternal and child welfare.

In Asia, 56 per cent of total allocations for long-range aid was in the field of maternal and child welfare services and training; in the Eastern Mediterranean area it was 16 per cent; and in Latin America, 4 per cent.

The aid to countries was in the form of equipment and supplies for maternal and child welfare centres, primarily in rural areas, children's hospitals or wards, school health services, clinics and laboratories. Assistance included midwifery kits; scales, thermometers, needles, syringes; transport; hospital equipment; drugs, sera, vaccines, common medicines, soap, disinfectants; powdered milk; fish-liver oil capsules and other diet supplements; and health education materials.

During 1952, aid was approved for some 2,000 maternal and child welfare centres. The UNICEF-

equipped maternal and child welfare centres, in addition to providing preventive and curative services to children and mothers, provided training facilities for local child care personnel, mainly assistant midwives or village midwives. Other UNICEF aid for maternal and child welfare took the form of supplies and equipment for midwifery training centres, schools of nursing, teaching hospitals and pediatric wards.

In April 1952 the Executive Board decided in principle that as an additional measure of increasing aid for training auxiliary child care personnel in rural regions it would, in certain circumstances, provide stipends in local currencies for trainees. In October 1952 it provided small sums (stipends in local currencies) for midwife trainees in four countries (Libya, India, Pakistan and Thailand).

Anti-Malaria and other Insect-Control Measures: UNICEF allocated \$1,794,000 for DDT, sprayers, transport and field equipment to help countries combat malaria and other insect-borne diseases (diarrhoea, typhus) taking a heavy toll of children's lives and health. Aid was approved to three countries in Africa (Togoland, the Cameroons and Liberia), three countries in Asia (Afghanistan, India and Pakistan), four countries in the Eastern Mediterranean area (Egypt, Iraq, Lebanon and Syria), and ten countries in Latin America (Bolivia, Colombia, Grenada, Haiti, Honduras, Jamaica, Peru, St. Lucia, Surinam and Trinidad). In Africa, 45 per cent of total allocations in the area for long-range aid in 1952 was for anti-malaria campaigns; in Asia, 13 per cent; in the Eastern Mediterranean area, 21 per cent; and in Latin America, 36 per cent.

During 1952, anti-malaria campaigns (aided by allocations in previous years and, in part, the 1952 allocations) protected approximately 8,300,000 in fifteen countries as follows:

Area	No. of Countries	No. Protected
Asia	4	5,000,000
Eastern Mediterranean	1	98,000
Latin America	10	3,200,000
	15	8,298,000

Anti-Yaws Campaign: Yaws is a contagious disease which particularly attacks children and is susceptible to treatment on a mass scale by penicillin. In 1952 UNICEF approved aid totalling \$828,000 for anti-yaws campaigns in one country in Africa (Liberia), three in Asia (China (Taiwan), Philippines and Thailand), and one in Latin America (Haiti). In Latin America the amount allocated was 17 per cent of total area allocation for long-range aid in 1952; in Asia

it was 13 per cent; and in Africa 5 per cent. UNICEF aid took the form of penicillin, needles, syringes, transport, and clinical and laboratory supplies. The UNICEF-aided campaigns have importance in the preventive field as well since, through mass treatment, sources of infection are eliminated.

Aided by allocations in previous years, and, in part, 1952 allocations, anti-yaws campaigns in 1952 (and anti-bejel and anti-venereal disease campaigns also carried on through penicillin injections) resulted in the examination of over 5,200,000 persons and the treatment of about 1,300,000 in seven countries, as follows:

Area	No. of Countries	No. Examined	No. Treated
Asia	4	4,270,000	427,000
Eastern Mediterranean	1	120,000	24,000
Europe	1	not available	not available
Latin America	1	843,000	843,000
	7	5,233,000	1,294,000

BCG Anti-Tuberculosis Vaccination Campaigns: During 1952 UNICEF aid in BCG anti-tuberculosis vaccination campaigns totalled \$736,000 to nine countries in Asia (Burma, Cambodia, China (Taiwan), Hong Kong, India, Pakistan, Philippines, Thailand and Vietnam), and three countries in the Eastern Mediterranean region (Ethiopia, Jordan and Sudan). Included was \$40,000 for field studies of the effects of BCG vaccination (Skive project), carried on in Denmark under the technical supervision of the Tuberculosis Research Office of the World Health Organization.

In Asia, aid for BCG vaccination campaigns amounted to 15 per cent of the total allocated for long-range aid during the year; in the Eastern Mediterranean area, 7 per cent. The type of equipment provided by UNICEF consisted of tuberculin, vaccine and transport.

UNICEF also approved during the year an amount of \$54,000 to three countries (Burma, India and Trinidad) for equipment for tuberculosis control related to BCG campaigns.

In 1952, as a result of allocations made in previous years, and, in part, those made during the year, 13,500,000 persons were tested and 4,850,000 vaccinated against tuberculosis, as follows:

Area	No. of Countries	No. Tested	No. Vaccinated
Africa	1	not available	not available
Asia	9	10,620,000	3,750,000
Eastern Mediterranean	4	1,860,000	619,000
Latin America	5	976,000	580,000
	19	13,456,000	4,949,000

Other Health Campaigns: UNICEF during 1952 allocated approximately \$500,000 for other mass disease campaigns. The bulk of this was for equipment for a penicillin production plant in Chile (\$285,000) and for anti-trachoma work in Morocco, Tunisia and China (Taiwan). The number of children expected to be reached in the anti-trachoma campaigns was 130,000.

The aid for anti-trachoma work took the form of antibiotics, field and laboratory equipment, transport and public health education materials. The Executive Board noted that there was interest in a number of countries in international aid against trachoma, a highly contagious eye disease, most acute among children, and it regarded its allocation in the nature of aid for pilot projects, the experience of which would be a guide in considering future aid against trachoma.

The aid for the penicillin production plant was given on the basis of a series of special criteria established by the Executive Board in 1951 for capital investment aid of this type.

Long-Range Feeding Assistance: During 1952 UNICEF allocations totalled \$566,000 for long-range supplementary child feeding projects. Included was aid to two countries in Africa (Belgian Congo and Ruanda-Urundi) for dry milk powder to combat a serious nutritional deficiency in children (kwashiorkor). This constituted the first UNICEF aid for this type of problem. Plans for the programmes were developed in close collaboration with both WHO and FAO.

The long-range feeding assistance also included allocations to five countries in Latin America (British Honduras, Chile, Honduras, Nicaragua and Peru) and two countries in the Eastern Mediterranean area (Iraq and Turkey). For Chile, Honduras, Nicaragua, Iraq and Turkey, this feeding assistance was related to UNICEF aid for milk conservation which would permit the Governments of these countries to continue the child feeding programmes on a permanent basis from their own milk production.

Of the total area aid for long-range programmes allocated for Africa in 1952, some 32.5 per cent was for long-range feeding programmes; for Latin America the percentage was 12.5.

In December 1952, out of these allocations and those made earlier, there were 763,000 beneficiaries of long-range feeding programmes in eighteen countries as follows:

Area	No. of Countries	Beneficiaries during December 1952
Africa	3	40,000
Asia	3	112,000

Area	No. of Countries	Beneficiaries during December 1952
Europe	2	393,000
Latin America	10	218,000
	18	763,000

Milk Conservation: UNICEF provides equipment for drying and pasteurization of local milk supplies to be used for the benefit of children. In 1952 the Executive Board approved allocations totalling \$1,360,000 for four countries in the Eastern Mediterranean area (Egypt, Iraq, Israel and Turkey), two countries in Europe (Italy and Yugoslavia), and one country in Latin America (Honduras). The milk conservation projects in Egypt, Iraq and Turkey were small-scale projects designed to serve as demonstrations of modern milk handling processes in countries with relatively small milk supplies. The plants themselves are to serve as training centres for personnel to be used in future milk conservation schemes. In Iraq some of the milk will be sterilized, a type of aid approved for the first time, with the hope that the experience would be significant for other countries without widespread refrigeration. The aid for Israel was for the purchase of equipment for bottling pasteurized milk, refrigeration, and equipment for making milk bottles. The allocations for Italy and Yugoslavia constituted extensions of milk conservation projects for which allocations had been made in previous years. Of the total long-range aid approved in 1952 for the Eastern Mediterranean area, 52 per cent was in the field of milk conservation; for Europe it was 55 per cent and for Latin America 10 per cent.

2. Finances

In 1952 a total of 38 governments pledged or contributed a total of \$10,775,000 to UNICEF. (Included in this amount are some of the 1952 pledges, which were actually entered into the UNICEF accounts for the year 1951.) The 38, governments were:

Afghanistan	France
Australia	Germany
Austria	Greece
Bolivia	Honduras
Brazil	India
Brunei	Indonesia
Burma	Iraq
Canada	Israel
Ceylon	Italy
Chile	Japan
Denmark	Liechtenstein
Dominican Republic	Luxembourg
Ecuador	Netherlands
El Salvador	New Zealand

Norway	Thailand
Pakistan	Turkey
Peru	United Kingdom
Sweden	United States
Switzerland	Yugoslavia

Contributions from the governments of underdeveloped countries constituted 17.7 per cent of the total amount. The largest contributor, the United States Government, contributed \$6,667,000 in 1952. The amounts pledged or contributed by governments in 1952 reflected an increase over 1951 when it totalled \$9,851,000 from 35 governments.

Income from individual private contributions in 1952 totalled \$99,000, compared with \$67,000 in 1951. Income from organized private fund-raising campaigns was \$48,000 in 1952; however, proceeds of over \$400,000 from 1952 Australian, New Zealand and Pakistan campaigns were not committed to UNICEF until 1953. Proceeds from the settlement of UNRRA claims amounted in 1952 to \$137,000. Income of the Fund during the year 1952 other than contributions amounted to \$638,000.

The total income entered in the UNICEF books from all sources during the year 1952 was approximately \$10,270,000. The fact that the Fund was able to allocate \$16.8 million was due to the fact that it was able to draw, in part, on funds raised in earlier years.

Target Programme and Budget: At its April 1952 session, the Executive Board approved a target programme and budget of \$20 million for external aid for the period 1 July 1952 to 30 June 1953. Following a recommendation of the Programme Committee's Sub-Committee on Fund Raising, the Executive Director submitted to the Board a proposed target programme and budget to cover the calendar year 1953.

Approved by the Executive Board in October 1952, this allocations target for external aid in 1953 amounted to \$20 million. In setting this target, the UNICEF Executive Board took into account the additional amounts to be provided by each assisted country as a result of the UNICEF "internal matching" principle. The internal matching, which included expenditures from local resources for local personnel, facilities, supplies and services, involved commitments by governments in 1952 of over \$23 million.¹⁶⁴

Inclusion of UNICEF as Responsibility of General Assembly Negotiating Committee for Extra-Budgetary Funds: At its October 1952 session, the Executive Board decided "that, it would be advantageous for representatives of governments to add their weight to that of the Administration

in securing contributions for UNICEF from Governments". The Board expressed the opinion that this responsibility might best be undertaken through the General Assembly's Negotiating Committee for Extra-Budgetary Funds. This was approved by the General Assembly at its seventh session in resolution 693(VII).¹⁶⁵

In April 1952 the Executive Board approved a report of its Working Group on Creation of a Fund Raising Committee and authorized the Programme Committee either directly, or through a committee established by it with the addition of one or more members of the Executive Board, to advise the Executive Director and the Executive Board on fund raising for UNICEF from governmental and private sources. On the basis of the Executive Board's action, the Programme Committee in April 1952 established a Sub-Committee on Fund Raising, consisting of three members of the Programme Committee and two from the Executive Board. This Sub-Committee reported to the October 1952 session of the Executive Board on the question of UNICEF inclusion in the scope of the General Assembly Negotiating Committee, on ways in which individual Board members could assist the Administration in disseminating information about the work of UNICEF, on the use of services of outstanding personalities for fund-raising purposes, and on the question of establishing National Committees for UNICEF. The report of the Sub-Committee set forth a number of ways through which the Executive Board, the Programme Committee, governments and the Administration might assist in the creation of National Committees for UNICEF. It was pointed out that National Committees were not exclusively nor even predominantly fund-raising instruments but had wider functions. These functions would be determined by local circumstances in each instance.

3. Co-operation with other United Nations Agencies and Non-Governmental Organizations

The UNICEF function of providing essential supplies and equipment to governments for child care programmes is part of a co-ordinated scheme through which the technical departments of the

¹⁶⁴ These figures understate the amount of local commitments, as they do not include the expenditures which will be made on a continuing basis for the programmes after UNICEF aid has ceased, nor do they take into account the large amount of voluntary effort characteristic of many of the programmes.

¹⁶⁵ See p. 126.

United Nations and the relevant specialized agencies give the governments related technical advice and services. In addition, these agencies provide UNICEF with assurance that the plans for the use of the UNICEF aid, and the supplies and equipment to be provided, are technically sound.

At its April 1952 session, the Executive Board noted that this general division of functions had proved useful and workable and that government plans of operations coming before the Board for approval showed increasingly the value of the joint participation by all relevant agencies at the earliest stages of planning and implementation of programmes.

The Executive Director in his General Progress Report to the October 1952 Board session referred to administrative developments along these lines in each of the regions which had served to strengthen the relationship in the field. He called attention to the large number of WHO and FAO experts and United Nations Social Welfare Advisers available in the field to assist both governments and UNICEF in various aspects of UNICEF-aided programmes. At the October 1952 Board session, statements on the value of co-operation with UNICEF were also made by the Director-General of WHO, the Director-General of FAO and the Director of the United Nations Division of Social Welfare.

The Executive Board approved the granting of consultative status to the members of the Non-Governmental Organizations Committee on UNICEF. This Committee was established in the summer of 1949 with the name "UNICEF Advisory Committee of Non-Governmental Organizations" to advise the UNICEF Administration on fund-raising and other matters. In order to prevent misunderstanding as to its functions in relation to the UNICEF Board, the Committee decided to change its name to "Non-Governmental Organizations Committee on UNICEF". The manner in which the consultative status was granted to members of the Committee was defined in a set of rules adopted by the Board.

4. Consideration of the Board's Report

a. CONSIDERATION BY THE SOCIAL COMMISSION AT ITS EIGHTH SESSION

In accordance with Assembly resolution 417 (V),¹⁶⁶ the Social Commission at its eighth session, held from 12 to 29 May, considered the report of the Executive Board of UNICEF (E/2214) and the documents concerning principles

and policies relating to the Fund's programmes (E/CN.5/258 and Add.1).

The Executive Director of UNICEF, in submitting the report, noted that UNICEF aid was now going principally to under-developed countries, including Africa, for long-range programmes. At every point in UNICEF's work a high degree of co-ordination had been achieved with the Department of Social Affairs, the Technical Assistance Administration and the specialized agencies. He noted the increasing efforts of citizens both at national and local community levels and the increasing government expenditures in under-developed countries for child care, encouraged by the material aid of UNICEF. He stressed the great need for new funds in order to achieve the goal of \$20 million for the year ending 30 June 1953.

Most representatives paid tribute to the work of the Fund as an outstanding example of international collaboration.

It was pointed out that UNICEF participated in the Working Group on Long-Range Activities for Children, of the Administrative Committee on Co-ordination, which had given first priority to the development of programmes for the training of auxiliary maternal and child welfare personnel. The Commission noted with satisfaction that the Executive Board had stated its readiness under certain conditions to aid in meeting the local costs of training of auxiliary personnel.

The Commission unanimously adopted a resolution (E/2274) which it recommended for adoption by the Economic and Social Council.

b. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

At its fourteenth session, held from 20 May to 1 August, the Economic and Social Council considered the report of the Executive Board of UNICEF (E/2214), following its session in April 1952. The Council also had before it the recommendation contained in the report of the Social Commission (E/2274).

At the 658th and 659th plenary meetings of the Council on 24 and 25 July, the representatives of Belgium, Canada, China, Egypt, France, Pakistan, the Philippines, Sweden, the United States and Uruguay paid tribute to the work of UNICEF as an outstanding example of international collaboration similar to those tributes which had already been paid in the Social Com

¹⁶⁶ See Y.U.N., 1950, p. 621.

mission. The conditions of tens of millions of children had been improved; UNICEF aid had led to increased child care services within the countries concerned, and the relatively small amounts of supplies and equipment provided by UNICEF had provided the foundation for permanent child care services. UNICEF was commended for its ability to provide relief rapidly in the event of natural catastrophes and other emergencies, for its sound principles, flexibility of operational methods and economical administration, and for its close collaboration with other United Nations bodies.

The Council adopted, by 15 votes to none, with 3 abstentions, the resolution recommended by the Commission (resolution 434 J (XIV)). By this resolution, the Council noted the report of the Executive Board in which aid was approved for 53 separate child care projects in 39 countries and territories. It noted:

(1) that programmes were to be extended to 72 countries and territories; (2) that this aid, extended principally to economically under-developed countries, dealt with basic maternal and child welfare programmes, the training of auxiliary workers, mass campaigns against wide-spread epidemic and endemic diseases of childhood, child feeding, milk conservation and the establishment of plants to produce antibiotics, insecticides and vaccines; and (3) the promptness of UNICEF's emergency aid.

The Council also commended the extension of UNICEF assistance to African countries; endorsed the Executive Board's encouragement of the training of auxiliary workers; and recommended that efforts be increased to make known the achievements of UNICEF in its world-wide collaboration with the United Nations and the specialized agencies and with governments. The Council further expressed concern that the lack of funds had prevented UNICEF from fulfilling its target budget of \$30 million during the year 30 June 1951 to 1 July 1952, and called to the attention of governments and private individuals the need for meeting the target programme of \$20 million for the year 1 July 1952 to 30 June 1953.

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

Views similar to those expressed in the Commission and in the Council were expressed in the Assembly's Third Committee, at its 465th to 469th meetings, from 4 to 9 December, during the general debate on the report of the Economic and Social Council (A/2172) on social questions. The representatives of Afghanistan, Argentina, Australia, Belgium, Canada, China, Den-

mark, the Dominican Republic, Ecuador, Egypt, France, Greece, Haiti, India, Israel, the Netherlands, Pakistan, the Philippines, Sweden, the United States and Yugoslavia, among others, paid tribute to the activities of UNICEF as an outstanding example of constructive and practical United Nations achievement in the social field, and drew attention to the importance of financial support of the work by all governments. These representatives also stressed the following points:

(1) the appeal of UNICEF to public opinion and the fact that it had evoked universal approbation and acclaim; (2) the important concrete benefits children had received as a result of the stimulus of UNICEF aid; (3) the emphasis placed by UNICEF on aid to economically under-developed countries, and on long-range programmes, together with ability to provide assistance rapidly in emergencies; (4) the value of the UNICEF "internal matching" principle and its emphasis on self-help; (5) the sound operational methods and structure of the Fund; (6) the increasingly close co-operation between UNICEF and the specialized agencies; (7) the valuable impetus to training personnel for maternal and child welfare afforded by UNICEF aid to country programmes and through institutions such as the International Children's Centre in Paris; and (8) the fact that the work of UNICEF received too little attention in the information media of the world.

Australia, Belgium, Burma, the Dominican Republic, France, Greece, Haiti, Iran, Israel, the Philippines, Sweden and Yugoslavia presented a joint draft resolution (A/C.3/L.320) commending the work of UNICEF and appealing to governments and private individuals to contribute to the Fund as generously as possible during 1953 so that its target programme of \$20 million could be fulfilled.

An amendment by Afghanistan (A/C.3/L.321), which would add an appeal to information media to co-operate in disseminating information concerning the activities of UNICEF, was adopted by 35 votes to none, with 7 abstentions.

The twelve-Power draft resolution, as amended, was adopted by the Committee by 42 votes to none, with 5 abstentions, and by the General Assembly, at its 409th plenary meeting on 20 December, without discussion, by 49 votes to none, with 5 abstentions. The resolution (641 (VII)) read:

"The General Assembly,

"Having considered the report of the Economic and Social Council to the General Assembly, and noting the high tribute paid by the Council to the work of the United Nations International Children's Emergency Fund as an outstanding example of international collaboration,

"Noting that the Executive Board of the Fund approved in 1952 aid for eighty long-range child-care programmes in forty-nine countries and territories, and that the Fund will now be aiding children in seventy-

two countries and territories, particularly in under-developed areas,

"Noting with appreciation the method of the United Nations International Children's Emergency Fund aid whereby supplies and equipment are used to make a permanent contribution to the welfare of millions of children by encouraging development and extension within the countries of action on behalf of children,

"Commending the United Nations International Children's Emergency Fund for the promptness of its aid in case of emergencies such as floods, earthquakes and droughts,

"Expressing its appreciation that close working relationships have been developed between the Fund and technical departments of the United Nations and the relevant specialized agencies, so that there is increasing joint participation at the earliest stages in the planning and implementation of aid to child-care programmes,

"Bearing in mind that, because of its practical and material forms, United Nations International Children's Emergency Fund aid is easily and invariably understood in all parts of the world and thus has become an outstanding symbol of constructive United Nations activities,

"Convinced of the importance of contributions to the Fund in amounts sufficient to fulfil its target programme and budget of \$US20 million for the year 1953,

"1. Appeals to governments and private individuals to contribute to the United Nations International Children's Emergency Fund as generously as possible during 1953, so that the target programme of \$20 million may be fulfilled for the benefit of the children of the world;

"2. Appeals to information media to co-operate in disseminating information concerning the activities of the United Nations International Children's Emergency Fund."

Q. NARCOTIC DRUGS

The Commission on Narcotic Drugs devoted the greater part of its seventh session, held from 15 April to 9 May 1952, to studying measures to combat the illicit traffic in narcotic drugs and to preparing a single convention on narcotic drugs to replace the existing international instruments.

The Commission's report (E/2219) was considered by the Economic and Social Council at its fourteenth session, at the 574th, 580th, 581st and 583rd plenary meetings on 22, 27 and 28 May. During the discussions, some representatives, including those of Pakistan and the USSR, expressed their objection to parts of the report referring to certain countries. The Council, however, at its 583rd plenary meeting on 28 May, by 14 votes to 4, adopted resolution 436 B (XIV), in which it took note of the Commission's report.

Also before the Council was the report of the Permanent Central Opium Board on statistics of narcotics for 1950 and the Work of the Board in 1951 (E/OB/7 and Add.1). During the discussion, some representatives, including those of India, Iran and the United Kingdom, submitted explanations in connexion with some of the statistics contained in the report. The Council, at its 583rd plenary meeting on 28 May, by 17 votes to none, with 1 abstention, adopted resolution 436 H (XIV) in which, among other things,¹⁶⁷ it took note of the Board's report.

The Council examined major problems such as those relating to opium and the coca leaf and also studied administrative measures intended to lead to closer international co-operation in the control of narcotic drugs and to strengthen such control by the adoption of measures at the inter-

national level. The matters considered by the Commission and the Council are dealt with below.

1. International Limitation of Opium Production

At its thirteenth session in 1951, the Council had had before it two proposals seeking by different methods to limit the production of opium. The first was a proposed interim agreement to limit the production of opium to medical and scientific needs, by means of an international opium monopoly. The second was a group of general principles which the Commission on Narcotic Drugs had set forth with a view to the conclusion of a protocol relating to the limitation of the production of opium by means of the limitation of opium stocks. In resolution 395 B and C (XIII),¹⁶⁸ the Council had requested the Secretary-General to transmit those two texts to governments, asking them to submit observations. The Secretary-General had also been instructed to prepare an annotated compendium of these observations and to draft the protocol in legal form.

At its fourteenth session, the Council had before it an annotated compendium of the observations of 37 governments on the principles of the draft protocol and on the proposed interim agreement (E/2186 and Corr.1 and Add.1 to 3), as well as a legal text of the protocol, prepared by the Secretary-General (E/2186, annex). The

¹⁶⁷ See also p. 529.

¹⁶⁸ See Y.U.N., 1951, p. 565.

compendium presented general comments on the protocol, general comments on the interim agreement and comments on specific provisions of the protocol.

Most representatives felt that, in the light of those observations, the time had not yet come to set up the international opium monopoly contemplated by the proposed interim agreement. They also thought that, in view of the divergencies of opinion which had appeared, it was preferable not to reopen the discussion on this matter.

Some representatives, including those of Belgium, China and the United Kingdom, considered that the text of the protocol submitted did not adequately meet the situation. The representatives of China, Pakistan, Sweden and the United Kingdom were among those who suggested that the text should be transmitted to governments with the request that they communicate to the Secretary-General their observations.

The representatives of Belgium, Egypt, France and the United States, on the other hand, felt that an international conference should not be further postponed. In spite of certain deficiencies, the draft protocol represented the best means of settling, partially at least, the problem of limiting opium production so as to reduce the illicit traffic and drug addiction. Accordingly, these representatives submitted, at the 574th plenary meeting of the Council on 22 May, a joint draft resolution (E/L.320, subsequently revised as E/L.320/Rev.1) which would have the Council convene an international conference to adopt a protocol relating to the limitation of the production of opium and request governments to submit, before the opening of the conference, their observations on the draft protocol.

Two amendments were submitted, one by the Philippines (E/L.33) and one jointly by China, Sweden and the United Kingdom.

The Philippine amendment proposed to add to the joint draft resolution a request that the Secretary-General bring to the attention of the proposed conference General Assembly resolution 422 (V)¹⁶⁹ of 4 December 1950, in which the Assembly requested the Commission on Human Rights to include in the International Covenant on Human Rights an article by which the provisions of the Covenant should be applicable equally to a signatory Metropolitan State and to all the territories administered or governed by such Metropolitan State. The amendment was not adopted by the Council, 6 votes being cast in favour, 6 against, and 6 abstentions.

Part of the joint amendment by China, Sweden and the United Kingdom, which would have the Council state that it realized the need for limiting the production of opium to medical and scientific needs, was adopted by the Council, by 15 votes to 3, at its 580th plenary meeting on 27 May. The remainder of the amendment, which, among other things, sought the circulation of the text of the draft protocol to governments for their comments, was rejected in a series of separate votes, ranging from 10 votes to 3, with 5 abstentions, to 8 votes to 6, with 4 abstentions.

The joint draft resolution, as amended, was adopted by the Council at the same meeting by 13 votes to 3, with 2 abstentions, as resolution 436 A (XIV). It read:

"The Economic and Social Council,

"Realizing the importance of the struggle against the development of drug addiction, and the need for limiting the production of opium to medical and scientific needs,

"Wishing to pursue the efforts already accomplished on the international level to facilitate this struggle and make it more effective,

"Having examined the observations made by governments on the principles of the protocol relating to limitation of the production of opium,

"Convinced in the light of these observations that it is desirable and possible to adopt immediately effective measures to further the progress already made under the 1925 and 1931 Conventions,

"1. Decides to convene as soon as possible, in conformity with Article 62, paragraph 4, of the Charter, an international conference to draft and adopt a protocol relating to the limitation of the production of opium; and

"2. Requests the Secretary-General:

"(a) To convene the Conference at such time as he may find appropriate, and preferably after the conclusion of the eighth session of the Commission on Narcotic Drugs;

"(b) To invite to the Conference States Members of the United Nations and non-member States which have acceded to the international conventions concerning narcotic drugs;

"(c) To invite representatives of the specialized agencies, with the same rights and privileges as they enjoy at sessions of the Council;

"(d) To prepare provisional rules of procedure for the Conference;

"(e) To ask such governments as have not already done so to submit before 1 December 1952 their observations on the present draft protocol relating to limitation of the production of opium, together with such textual amendments as they think fit to propose; and

"(f) To prepare a compilation of the observations submitted by governments and transmit it to all States invited to the Conference not less than six weeks before the opening of the Conference."

¹⁶⁹ See Y.U.N., 1950, pp. 531-32.

2. The Problem of the Coca Leaf

At its thirteenth session, in resolution 395 D (XIII),¹⁷⁰ the Council had requested the Commission to examine the problem of the coca leaf, taking into consideration all available information, and to submit to the Council its recommendations on the matter. The information available to the Commission was to include not only the documentation then existing¹⁷¹ but also the comments which the Governments of Bolivia and Peru had been invited to address to the Secretary-General with respect to the additional observations of the Commission of Enquiry (E/CN.7/-235).

The Bolivian Government stated that no conclusions could be formulated on the problem of coca chewing until the studies undertaken by the countries concerned had been completed. It also applied for United Nations assistance to continue its study of the problem. The Peruvian Government, for its part, disputed some conclusions of the Commission of Enquiry, including those relating to the dangers of coca chewing, but agreed that some of the experiments proposed by the Commission of Enquiry should be carried out. These experiments were to consist of observing the reactions of individual coca chewers after an improvement had been made in their social conditions, and in particular their diet, in order to determine whether, in improved circumstances, they would continue or cease to chew the leaf. The Bolivian Government informed the Commission on Narcotic Drugs during its seventh session that it agreed to the proposed experiments.

On the basis of the recommendations made by the Commission (E/2219) a draft resolution (E/L.342) was prepared by the Secretariat and, with some drafting changes, was adopted by the Council at its 583rd plenary meeting on 28 May, by 13 votes to none, with 3 abstentions, as resolution 436 E (XIV).

By this resolution, the Council requested the technical assistance services of the United Nations and the specialized agencies, with the help of the Secretariat, to study the possibility of undertaking the experiments proposed, within the framework of the existing technical assistance programmes in Bolivia and Peru. It recommended that the Governments of Bolivia and Peru should take the necessary steps to limit the production of coca leaves to licit consumption and manufacture and take effective measures to prevent the introduction into trading channels of coca leaves and crude cocaine which could form a

source of supply for the illicit manufacture or export of narcotic drugs.¹⁷²

3. Single Convention on Narcotic Drugs

In its report (E/2219), the Commission on Narcotic Drugs informed the Council of the progress achieved with the preparation of a single convention to replace the existing multilateral treaties for the control of narcotics. In accordance with the decision taken at its previous session,¹⁷³ the Commission thoroughly examined the draft convention prepared by the Secretary-General (E/CN.7/AC.3/3/Rev.2). During these discussions, which concerned articles 2 to 13 (relating to the scope of the convention, the obligations of parties to the convention and certain matters concerning the international control organs), the Commission took into account the written observations communicated to the Secretary-General by the governments of some of the States represented on the Commission and by the Permanent Central Opium Board, the Drug Supervisory Body and the World Health Organization.

The Commission decided to postpone consideration of the other articles (which concerned other matters regarding the international control organs, economic phases, penal provisions and the cure of the drug habit, as well as general provisions and definitions) to its eighth session. It asked the Secretary-General to prepare for submission to its eighth session a revision of the first part of the new draft convention and certain schedules which would form an integral part of the draft, with due regard for the principles formulated by the Commission at its seventh session.

These principles related in particular to articles 2 to 13 of the draft convention, though some of them related to the text as a whole or to

¹⁷⁰ See Y.U.N., 1951, p. 563.

¹⁷¹ This documentation consisted chiefly of the report of the United Nations Commission of Enquiry on the Coca Leaf (E/1666), the statement made by the Peruvian representative to the fifth session of the Commission on Narcotic Drugs (E/1666/Add.3), the summary records of the 118th and 119th meetings of the Commission, and the observations of the Commission of Enquiry on the statements made by the representatives of Bolivia and Peru at the fifth session of the Commission on Narcotic Drugs (E/1666/Add.1).

¹⁷² The President of the Council confirmed the interpretation that this resolution was in no way inconsistent with the provisions of General Assembly resolution 200(III) on technical assistance for economic development, because the studies referred to in the Council resolution would not be undertaken unless the governments concerned so requested.

¹⁷³ See Y.U.N., 1951, p. 562.

provisions which did not appear in these articles. Essentially, they dealt with four problems.

The first related to the precise scope of the new treaty. For example, the Commission considered whether it was sufficient to codify the provisions existing in present treaties, subject to the inclusion of only those modifications which experience had shown to be necessary, or whether a system of control should be elaborated which would anticipate, in so far as was possible, future developments. The Commission felt that it was impossible to take a decision of principle in this respect and that there was no fundamental discrepancy between these two views but merely a difference of emphasis.

The second problem studied by the Commission was that of the establishment, structure and status of the control organs. It took the view that the policy-making and technical functions ought to be the responsibility of a new organ similar to the Commission on Narcotic Drugs, namely, a functional commission of the Council, which would be distinct from the semi-judicial body corresponding to the Permanent Central Opium Board and the Drug Supervisory Body, and which would be known as the "International Narcotics Commission". The decisions and recommendations adopted by the proposed new organ under the new convention could be approved, modified or rejected by the Council but would become operative automatically whenever the Council took no action in the matter within a specified time-limit. Provision was made for cases in which the Council would invite certain States not Members of the United Nations to be represented in the new commission and, accordingly, it was decided to create in the text of the convention a legal basis for the privileges and immunities which its members would need for the performance of their functions. In addition, it was proposed that provision should be made in the convention to enable the new commission to delegate its powers to a committee. As regards the functions currently being performed by the Permanent Central Opium Board and the Drug Supervisory Body, it was decided to recommend the merger of these two bodies into a single semi-judicial organ to be known as the "International Narcotics Control Board".

Thirdly, the Commission expressed its views on placing additional drugs under control and on the exemption of certain others. It was recognized that in exercising this function the "International Narcotics Commission" should act in each case on the advice of WHO as regards the medical, pharmacological and pharmaceutical characteristics of the drug in question, but that

it would be for the Commission, subject to the Council's approval, to take the final decision with regard to control, in view of the fact that such decisions had social and administrative as well as technical implications. Any decision taken in this respect should be binding on the parties, save in the case of a recommendation to prohibit the use of narcotic drugs. In addition, it was decided to maintain the Commission's power to place a drug under provisional control.

Lastly, as regards the procedure whereby the various control systems would be applied to each category of drugs, the Commission proposed that the various drugs should be listed in schedules forming an integral part of the treaty. As regards the export of narcotic drugs, the Commission rejected the idea of an international clearing house which would have made the issue of export permits subject to verification by the proposed "International Narcotics Control Board" in the light of the estimates drawn up for the importing country. The Commission felt, however, that the new Board should have the task which was now entrusted to the Permanent Central Opium Board by virtue of the 1931 Convention of informing countries desirous of exporting the more dangerous drugs to countries not parties to the 1925 and 1931 Conventions, whether such exports should exceed their estimates for the year in question.

After its discussion of the draft single convention and of the control system to be provided for in the future treaty, the Commission decided that the control measures applicable to the various categories of drugs should be set forth in the text of the new convention. As to the use of certain drugs for medical purposes, the Commission decided that the convention should not compel governments parties to it to prohibit the use of any drug for medical purposes but that it should contain recommendations for the prohibition of certain dangerous drugs. The drugs to be included in this group would be listed and the Commission would subsequently be able to recommend the addition of other drugs to the list.

Finally, with regard to the information to be supplied by governments to the international control bodies, the Commission felt: (1) that the nature of the statistical information required should be made clear in the text of the convention instead of being determined by the new commission; and (2) that it was not necessary for States to communicate to each other the names and addresses of importers and exporters of narcotic drugs. They would, however, continue to

communicate all other information which they are bound to supply under the existing treaties.

The Council at its fourteenth session took no action with regard to the proposed single convention.

4. Scientific Research on Narcotics

At its fourteenth session, the Council had before it a number of recommendations made by the Commission (E/2219) concerning the future of research into the nature of opium and, in particular, into the possibility of determining the origin of opium seized from the illicit traffic. This research was being carried on pursuant to Council resolutions 159 II C (VII)¹⁷⁴ and 246 F (XI).¹⁷⁵

The Commission felt that the research programme should be intensified by again inviting governments to send opium samples to the Secretariat, and that the scientific processes devised for determining the origin of opium should be employed forthwith in the campaign against the illicit traffic. It proposed, among other things, that the Secretariat should be enabled, by arrangement with the authority seizing a quantity of opium, to examine a sample and subsequently communicate to the Commission the results of its laboratory tests.

The Commission advocated the establishment of a permanent United Nations laboratory which would continue work currently in progress concerning opium, and might eventually also engage in other activities, such as the development of methods for the analysis of adulterated illicit narcotics and for the identification of synthetic narcotics which may find their way into the illicit traffic. The Secretariat provided an approximate estimate of the cost of fitting out such a laboratory in the Headquarters building (E/2219).

At the 581st plenary meeting on 27 May, without discussion, the Council adopted by 14 votes to 3, with 1 abstention, a draft resolution submitted by the United States (E/L.339) as resolution 436 F (XIV). By this resolution, the Council requested governments to send to the United Nations Research Laboratory, for analysis, samples of opium seized in illicit traffic. The Council also instructed the Secretary-General to submit to it, at its fifteenth session, a more detailed estimate of the cost of equipping a laboratory, preferably in the Secretariat building, large enough to handle the work.

5. Control of Synthetic Narcotic Drugs

At its seventh session, the Commission discussed the question of synthetic narcotic drugs and noted that, owing to their peculiar properties and increasing consumption, these drugs raised a new and difficult problem in the matter of narcotic drugs control.

During the debate in the Commission it was recognized that it was impossible at present to achieve the ideal of prohibiting the manufacture of addiction-producing synthetic narcotic drugs (except for scientific purposes) since effective harmless substitutes were not always available.

Reference was also made during the discussion to the difficulties experienced by the customs services in certain countries in identifying synthetic narcotic drugs, of which there was a long list and the names and formulae of which were complicated. The Commission's attention was also drawn to the dangers of pilferage to which the presence of a visible mark on the outer wrappings of a package of synthetic narcotic drugs might give rise in the course of warehousing operations or in transit.

The Commission also discussed a proposal submitted by the World Health Organization (WHO) to the effect that on all receptacles containing synthetic narcotic drugs the international non-proprietary name proposed by WHO should be inscribed. The Commission, however, considered this recommendation premature since not all States had as yet agreed to adopt the nomenclature proposed by WHO.

The Commission recommended (E/2219) and the Council, at its 581st plenary meeting on 27 May, adopted, by 12 votes to none, with 6 abstentions, without discussion, a proposal relating to the control of synthetic narcotic drugs. By this resolution (436 G (XIV)), the Council, noting that the use of synthetic narcotic drugs was developing rapidly, requested the Secretary-General to call the attention of governments to the desirability of:

(1) bringing all synthetic narcotic drugs under their national legislation; (2) acceding to the Protocol of 19 November 1948; (3) limiting their estimates to medical and scientific requirements; (4) exercising strict control over the manufacture and therapeutic use of synthetic narcotic drugs; and (5) requiring all packages containing them to be marked clearly with a double red line for identification. By the same resolution, the Council expressed its thanks to the Permanent Central Opium Board and the World Health Organization for the

¹⁷⁴ See Y.U.N., 1947-48, p. 630.

¹⁷⁵ See Y.U.N., 1948-49, p. 646.

vigilance they had exercised in regard to these substances.

6. Illicit Traffic in Narcotics

At its seventh session, the Commission examined and noted the summaries of illicit transactions and seizures communicated to the Secretariat in 1951 (E/NS. 1951, Summaries 1 to 6), the documents reproducing chapter V (Illicit Traffic) of the annual reports of governments for 1951 (E/CN.7/232 and Add. 1-4) on the traffic in opium and other dangerous drugs, and the Secretary-General's memorandum on the illicit traffic in narcotic drugs in 1951 (E/CN.7/234).

In this connexion, the Commission reviewed the situation in the various areas of the world where there is known illicit traffic, concentrating particularly on America, Europe, the Near East and the Far East.

During this general discussion on the illicit traffic, it was noted that co-operation between the administrative and police authorities of all the countries concerned was continuing to develop and was giving excellent results. On the other hand, the Commission expressed concern over the fact that in a number of countries persons involved in the illicit traffic were being given comparatively light sentences. Some countries, however, had taken steps to provide heavier penalties.

The Commission took note of the memorandum from the International Criminal Police Commission (ICPC) on the illicit traffic in narcotic drugs in 1951 (E/CN.7/236) and then heard a statement by the representative of ICPC, who drew attention to the advantages of international co-operation in the fight against the illicit traffic. This statement also stressed the importance of the rapid transmission of information on cases of the illicit traffic to all the responsible national and international bodies.

The Commission discussed ways and means of collaboration between ICPC and the Secretariat of the United Nations. It considered that such collaboration should include in the first place the exchange of information on the movements of drug traffickers. Less importance, on the other hand, should be attached to statistical information. It was also emphasized that excellent results had been achieved by direct collaboration between the governments concerned and ICPC. The importance of the special courses for police officers organized by ICPC was also mentioned, especially in the case of countries not maintaining police units specializing in narcotics cases.

The Commission recommended (E/2219) and the Council adopted without discussion, at its 581st plenary meeting on 27 May, the draft resolution, by 15 votes to none, with 3 abstentions, as resolution 436 C (XIV). It read:

"The Economic and Social Council,

"Having been informed by the Commission on Narcotic Drugs that the international illicit traffic in narcotic drugs has increased dangerously,

"Requests the Secretary-General:

"(a) To advise governments that this baneful trade cannot be combated successfully by national efforts alone, and that international co-operation is essential;

"(b) To urge governments to take immediate steps, if they have not already done so, to adopt the practice of direct communication between national administrations controlling the illicit traffic; if, within a country, more than one department exercises control thereof, the government concerned shall determine the channel through which such communication is to be conducted; and

"(c) To ask governments to review their preventive systems with a view to ensuring that their preventive organizations are adequate to combat the illicit traffic within their territories."

Another aspect of the question of illicit traffic in narcotics considered by the Commission was that of illicit trafficking by the crews of merchant ships and civil aircraft. The Commission informed the Council that there had been an increase in the illicit traffic in narcotics on merchant ships and civil aircraft during the last five years and that this increase was mainly due to smuggling by merchant seafarers and crews of civil aircraft. The Commission recommended (E/2219) that the Secretary-General be requested to compile a list of such persons who had been convicted of offences against narcotic laws on or after 1 January 1953, and that such list be sent to all States with the recommendation of the Council that they take measures, among other things, to revoke or withhold licences and certificates to such persons.

To the second draft resolution recommended by the Commission, the representative of the United Kingdom submitted a two-part amendment (E/L.340). He said that the first part concerned merely drafting changes but the second was designed to extend the scope of the Commission's draft which would have the Secretary-General transmit to the maritime and aeronautical unions and companies a list of merchant seamen and members of civil air crews who had been convicted of offences against narcotic laws on or after 1953. The amendment was designed to include all shipping and aeronautical organizations.

Both parts of the United Kingdom amendment were adopted by the Council, by 10 votes to 1,

with 7 abstentions, and by 15 votes to none, with 7 abstentions, respectively. The Council, at its 581st plenary meeting on 27 May, adopted the recommendation of the Commission as amended (resolution 436 D (XIV)). It read:

"The Economic and Social Council,

"Having been informed by the Commission on Narcotic Drugs that there has been an increase in the illicit traffic in narcotics on merchant ships and civil aircraft during the past five years and that this increase is principally due to smuggling by merchant seafarers and crews of civil aircraft,

"Desiring to take all measures possible to combat this illicit traffic,

"1. Requests the Secretary-General to compile as soon as may be convenient, and thereafter to bring up to date at convenient regular intervals, a list of merchant seafarers and members of civil air crews who have been convicted of offences against narcotic laws on or after 1 January 1953, setting out so far as possible the following information:

"(a) Name (including aliases where appropriate);

"(b) Nationality;

"(c) Date of birth;

"(d) Nature of offence and disposition of the case; and

"2. Instructs the Secretary-General to send the list to the governments of all States with the recommendation of the Council;

"(a) That they take appropriate measures:

"(i) To revoke certificates and licences currently held by merchant seafarers or members of civil air crews so convicted; and

"(ii) To withhold the issue to such persons of such licences and certificates, such revocation or withholding of such licences or certificates to be either temporary or permanent as may be appropriate in the circumstances of any particular case, provided that if either course does not accord with national law or usage the government concerned shall take such steps as may be open to it in accordance with domestic law or usage to give effect to this resolution, i.e., by sending a copy of the list to the competent authorities for such action as the latter may decide to take; and

"(b) That they send a copy of the list to the maritime and aeronautical unions, companies and other appropriate organizations in their territories for their consideration in connexion with the exercise of their disciplinary functions and any functions which they may exercise in connexion with the engagement of crews."

7. Permanent Central Opium Board

At its 574th plenary meeting on 22 May, the Council considered the report of the Permanent Central Opium Board on statistics of narcotics for 1950 and the work of the Board for 1951 (E/OB/7 and Add.1).

The Council also had before it a joint draft resolution by Belgium, France and the United States (E/L.319) which would have the Council note the statement of the Board contained in its report that there were inadequate national controls over the production of opium and coca leaves and that there was ground for the conclusion that the illicit traffic had its origin in the producing countries. The draft would further urge the governments of producing countries to take effective measures of control.

Support for the joint draft resolution was expressed by the representatives of Egypt, Iran, Pakistan and the United Kingdom; the representatives of Iran and Pakistan, however, deplored its emphasis on the producing countries. Pakistan submitted an amendment to extend the scope of the joint draft to all countries and this amendment was also sponsored by the United States (E/L.338).

At the suggestion of the Chairman, the sponsors of the joint draft resolution agreed to add a paragraph in terms of which the Council would take formal note of the report, and the Council adopted this paragraph without vote. It adopted unanimously the Pakistan amendment, by which the Council would urge the governments of all countries to take further suitable steps to tighten control on import and distribution of opium and coca leaves in their respective countries. At its 583rd plenary meeting on 28 May the Council adopted, by 17 votes to none, with 1 abstention, the joint draft resolution as a whole, as amended, as resolution 436 H (XIV). It read:

"The Economic and Social Council,

"1. Takes note of the report of the Permanent Central Opium Board on statistics of narcotics for 1950 and the work of the Board in 1951; and

"2. Noting the statement of the Board that there is inadequacy of national controls over the production and distribution of opium and coca leaves and that 'there is ground for the conclusion that the illicit traffic in question has its origin in the producing countries',

"3. Urges the governments of the opium and coca leaf producing countries:

"(a) To take effective measures immediately to control all production and distribution of opium and coca leaves, in order to prevent these substances from entering the illicit market; and

"(b) To report their full production, stocks and exports of opium and coca leaves for 1950 to the Permanent Central Opium Board if they have not already done so; and

"4. Urges the governments of all countries to take further suitable steps to tighten control on import and distribution of opium and coca leaves in their respective countries."

8. Implementation of International Treaties

a. INVITATION TO LIBYA

At its 574th plenary meeting on 22 May, the Council had before it a memorandum by the Secretary-General (E/2188), proposing that the Council adopt a draft resolution inviting Libya to become a party to the Protocol of 19 November 1948 relating to Narcotic Drugs. Support for the draft was expressed by the representative of Egypt.

The Council unanimously adopted a resolution to that effect (resolution 436 I (XIV)).

b.

On the basis of a memorandum submitted by the Secretary-General (E/2198), the Council, at its 580th plenary meeting on 27 May, by 15 votes to 3, adopted a resolution (436 J (XIV)) authorizing the Secretary-General to act on its behalf whenever findings made by the World Health Organization under the 1925 Convention concerning the exemption from the control of

certain preparations containing narcotic drugs were communicated to governments.

c. INTERNATIONAL CONTROL OF THE DRUG β -4-MORPHOLINYLETHYLMORPHINE

In its report on its seventh session (E/2219) the Commission informed the Council of the steps that had been taken to define the system of international control to be applied to the drug β -4-morpholinylethylmorphine. The Commission explained that in view of the relevant finding by WHO's Expert Committee on Drugs Liable to Produce Addiction, a committee of three experts had been appointed under article 11 (4) of the 1931 Convention, to determine whether the drug in question came under sub-group of Group I, or under Group II of article 1 of the Convention. The Committee appointed decided that β -4-morpholinylethylmorphine should be placed under Group II, that is, in a category subject to a less stringent system of control. This decision was communicated by the Secretary-General to the governments of States Parties to the narcotics conventions.

No action in this connexion was taken by the Council at its fourteenth session.

R. POPULATION AND MIGRATION QUESTIONS

The Population Commission did not meet in 1952 and therefore did not report to the Economic and Social Council at its fourteenth session. The Council, however, considered the question of convening a world population conference at its 588th and 598th plenary meetings on 3 and 10 July 1952.

The report of the Social Commission, in so far as it referred to migration questions, was considered by the Council at the 224th meeting of its Social Committee on 21 July and at its 659th plenary meeting on 25 July. It also considered a report by ILO on methods of international financing of European migration at its 649th plenary meeting on 18 July 1952.

1. Population

In accordance with resolution 389 C (XIII)¹⁷⁶ the Council had before it at its fourteenth session a report by the Secretary-General (E/2199 and Add.1 to 4) containing the replies of 32 governments and of interested specialized agencies and non-governmental organizations on the hold-

ing, date, possible agenda and composition and cost of a world conference on population. The majority, the report indicated, had approved, in principle, the holding of such a conference under the sponsorship of the United Nations, in collaboration with interested specialized agencies and non-governmental organizations (including the International Union for the Scientific Study of Population (IUSSP)). The majority also considered that the conference should be primarily a scientific discussion of experts, but opinion was divided as to whether it should be held in the summer or autumn of 1953 or 1954. The Secretary-General also suggested a tentative list of topics for discussion at the conference: (a) demographic aspects of problems of economic development of under-developed countries; (b) demographic aspects of post-war migration problems; (c) probable future growth of population; (d) aging of the population; (e) legislation relevant to population; and (f) methodology.

The Council considered the question at its 588th and 598th plenary meetings on 3 and 10

¹⁷⁶ See Y.U.N., 1951, p. 571.

July 1952. In addition to the Secretary-General's report, it had before it a joint draft resolution (E/L.318) by the Philippines and the United States providing, *inter alia*, for the convening of a conference in 1953 or 1954, and a note (E/L.351) by the Secretary-General on the financial implications of this proposal.

The majority of representatives, among them those of Belgium, Canada, China, Cuba, Egypt, France, Mexico, Pakistan, the Philippines, Sweden, the United States and Uruguay, were in favour of calling a world population conference. Among the reasons given were: no conference of the kind had been held for fifteen years; the world's population had undergone considerable change during that period; the results of the 1950 census were gradually coming in and if a conference were held later than 1954 it would be said that the figures were out of date; and the experts of the Population Commission who had recommended holding the conference in 1953 or 1954 must have had valid reasons for doing so.

The representative of the United Kingdom, however, was of the opinion that it was not possible, on the basis of the replies received, to state that there had been a clear majority in favour of the holding of such a conference. The Secretariat's questionnaire had been too limited in scope and, in fact, a large number of governments had not replied. Of those which had given favourable answers, only eight were represented on the Council and only about a dozen were ready to participate in a conference in 1953. A world conference could not be successful if the great majority of governments were not represented.

The representatives of Poland and Czechoslovakia agreed that little interest had been shown. The representative of Czechoslovakia also thought it apparent from the programme of the conference that there would be a tendency for it to be merely academic and limited to the ascertainment of secondary facts. Moreover population problems should not be studied in isolation, but in close relation to economic and social problems.

As to the date of the proposed conference, some representatives, among them those of Canada, Sweden, the United States and Uruguay, thought it should be held as soon as possible. Others, among them the representatives of Argentina, China, Egypt, Iran, Mexico and Pakistan, preferred 1954 to 1953. The United Kingdom representative considered that even 1954 would be too early to have adequate documentation prepared on the basis of the 1950 census results. He also thought that, before holding the con-

ference, it would be desirable that the Secretariat's studies on the concentration of efforts and resources of the United Nations in the field of population should be completed prior to the holding of the conference.

Most of the representatives preferred that the conference should be organized by the United Nations in collaboration with the interested specialized agencies and non-governmental organizations, such as IUSSP. The Belgian and Philippine representatives, however, thought it would be better to make the IUSSP responsible for organizing the conference, under the auspices of and with limited financial support from, the United Nations. The representative of France suggested a joint sponsorship between the United Nations and a number of specialized agencies and non-governmental organizations concerned with demographic problems, such as the IUSSP.

There was general agreement that the conference should be a meeting of experts acting in their individual capacities. It was also agreed that the cost to the United Nations should not exceed \$US 24,000.

Various suggestions were made concerning the agenda. The representative of China proposed that the conference should undertake studies in connexion with the effect of modern science on mortality, the adequacy of food resources to feed a growing population, the question of middle aged and elderly persons no longer able to work, and the problems of continental and inter-continental migration arising particularly after wars, whether open or undeclared.

The French representative thought that the following four points were particularly worth including in the agenda: the material and moral consequences of the aging of the population; the influence of the economic, social and cultural development on fertility; the consequences of the decrease in the mortality rate in countries in the course of development and a legal survey of the effects of legislation on demographic trends.

At the 598th plenary meeting the representatives of the Philippines and the United States presented a revised draft resolution (E/L.318/Rev.1) to incorporate some of the points raised in the discussion, in particular:

(1) A suggestion by Argentina that it be made clear that the conference was to be held under United Nations auspices; and (2) a suggestion by France that the responsibility of establishing a preparatory committee should be shared by the specialized agencies and interested non-governmental organizations.

The revised draft resolution also included a new paragraph referring to Assembly resolution

479(V) concerning the rules for the calling of non-governmental conferences by the Council.

The draft resolution was further revised at the 598th meeting to meet the suggestion of France that it should provide for the participation not only of experts nominated by United Nations Members but of those nominated by all governments.

The Council rejected by 4 votes to 3, with 11 abstentions, an oral Polish proposal to delete the reference to United Nations financing. By 13 votes to 1, with 4 abstentions, it adopted an oral amendment by Pakistan to delete the word "1953" and thus ensure that the conference would not be held until 1954. It adopted by 10 votes to none, with 8 abstentions, and by 8 votes to 5, with 5 abstentions, respectively, two United Kingdom amendments (E/L.355). The first added a paragraph specifying that the conference should be devoted solely to the exchange of ideas and experience on population matters among experts in the field concerned and the second stated that if the conference were in Europe, it should be held at Geneva.

At the request of Poland, the second operative paragraph of the joint draft resolution, relating to financing, was voted on separately; it was adopted by 12 votes to 3, with 3 abstentions. The preamble and the first operative paragraph were adopted by 14 votes to none, with 4 abstentions.

The revised draft resolution, as a whole, as amended, was adopted at the Council's 598th plenary meeting on 10 June by 14 votes to none, with 4 abstentions, as resolution 435 (XIV). It read:

"The Economic and Social Council,

"Noting the report of the Secretary-General (E/2199 and Add. 1-4) on the results of the inquiries concerning the proposed world conference on population which were addressed to governments, specialized agencies and interested non-governmental organizations, in accordance with Council resolution 389 C (XIII),

"Having regard to the rules for the calling of non-governmental conferences by the Economic and Social Council approved by the General Assembly in resolution 479 (V),

"1. Approves the holding in 1954, under the auspices of the United Nations, of a world population conference of experts, in close collaboration with the International Union for the Scientific Study of Population and interested specialized agencies, to discuss the problems of population set forth in annex II of document E/2199;

"2. Decides that the Conference shall be devoted solely to the exchange of ideas and experience on population matters among experts in the field concerned;

"3. Requests the Secretary-General to negotiate the financing of the Conference with interested specialized

agencies, non-governmental organizations and any interested host governments, provided that the total additional cost of the Conference to the United Nations, including all preparatory work, shall not exceed \$24,000;

"4. Authorizes the Secretary-General, in close collaboration with the International Union for the Scientific Study of Population and interested specialized agencies, to establish a small preparatory committee to be composed of their representatives and a small number of internationally recognized population experts, this committee to assist the Secretary-General in formulating an agenda based on the suggestions contained in annex II of document E/2199, and in making the necessary arrangements for the Conference;

"5. Requests the Secretary-General to invite, in their individual capacity, experts nominated by: (a) governments; (b) non-governmental scientific organizations concerned; and (c) the interested specialized agencies, and in addition to invite a small number of experts with a scientific interest in population questions. In carrying out this provision the Secretary-General shall determine, with the advice of the preparatory committee, the number of experts to be invited in each of the categories mentioned;

"6. Authorizes the Secretary-General to convene the Conference at a site which will involve the least cost to the United Nations, but at Geneva, if in Europe."

The Preparatory Committee, established as a result of the Council's resolution, held its first session (E/CONF.13/PC/1) in Geneva from 17 to 19 November 1952.

Representatives of the United Nations, FAO, ILO, UNESCO, WHO, and IUSSP were present. Of the experts individually invited by the Secretary-General, those from France, India, the Netherlands, the United Kingdom and the United States attended; those from Brazil and Egypt were unable to attend the first session. Upon the invitation of the Committee, a Japanese expert attended as a co-opted member for the first session, without vote. Noting that resolution 435 (XIV) stipulated that the conference be held in 1954, the Committee recommended that it be convened early in September of that year and, because of the number and complexity of the subjects of major interest requiring consideration, that it last for nine working days, if possible. In view of an offer by the Italian Government of a contribution equivalent to \$25,000 if the conference were held in Rome, and of the FAO facilities available there, the Committee recommended that the conference be held in Rome, if the Council would amend its resolution to permit this.

The Preparatory Committee also made preliminary suggestions for the programme of the conference, under the following headings:

Trends of mortality, fertility and population change; demographic aspects of economic and social development of under-developed countries; migration and population distribution; aging of the population; social and biological aspects of demographic changes; demographic

aspects of the First and Second World Wars; legislation, administrative programmes, and services relevant to population; needed programmes of population research, and problems of training qualified personnel.

The Committee also made recommendations on attendance, languages, and length of papers at the conference. It suggested that the Secretary-General consider using technical assistance funds to meet a part of the costs of the conference, and that he invite contributions from governments and specialized agencies.

2. Migration

a. SIMPLIFICATION OF ADMINISTRATIVE PROCEDURES FOR MIGRANTS

The Social Commission, at its eighth session in May 1952, had before it a report by the Secretary-General (E/CN.5/262 and Add.1 to 3) on the Simplification of Formalities and Reduction of Costs for Migrants. The report, which was based upon data supplied by governments, specialized agencies and non-governmental organizations, dealt only with the question of simplification of administrative procedures for migrants and not with governmental policies for the admission of such migrants.

The Commission also had before it the report of the Third Conference of Non-Governmental Organizations Interested in Migration (E/CN.5/274), held in New York from 16 to 22 April 1952.

On the basis of the Secretary-General's report, the Commission examined the objectives to be achieved by governments through multilateral agreements and/or national regulations. It expressed general agreement with the following objectives:

- (a) Limiting to the minimum the number of documents required from migrants and simplifying their contents;
- (b) Reducing to the minimum or eliminating the costs imposed by governments for documents;
- (c) Reducing to the minimum the duration of the procedure for the issuance of passports and visas to migrants;
- (d) Decentralizing, wherever desirable and practicable, the competence of immigration authorities as regards granting of individual authorizations for admission;
- (e) Arranging facilities for the admission of families of migrants with a view to avoiding their prolonged separation;
- (f) Arranging facilities for stateless persons and refugees unable to produce the documents generally required from migrants;

(g) Using the services of voluntary agencies in the accomplishment of formalities for migrants.

During its fourteenth session, the Council, at the 224th meeting of its Social Committee on 21 July, considered a draft resolution submitted by the Social Commission (E/2247). The representative of the USSR considered migration formalities, the issuance of passports, visas and other documents as matters wholly within the domestic competence of States and he was, therefore, in principle opposed to the proposals. The Argentine representative supported the draft resolution on the understanding that it did not limit the right of a government to take steps to ensure that prospective immigrants would constitute a desirable element of the country's population.

Following the adoption by 13 votes to none, with 5 abstentions, of a Belgian drafting amendment, the resolution recommended by the Social Commission was adopted by 12 votes to 3, with 3 abstentions (E/2305 II E). It was adopted by the Council at its 659th plenary meeting on 25 July by 12 votes to 3, with 3 abstentions, as resolution 434 G (XIV).

The representative of Pakistan, explaining his abstention, expressed the view that the problem of migration should be dealt with on a global basis whereas the United Nations appeared to be concerned only with migrants from Europe to America and Latin America.

The resolution read:

"The Economic and Social Council,

"Having taken note of the reports of the Secretary-General on simplification of formalities and reduction of costs for migrants as well as of the action taken on this subject by the Third Conference of Non-Governmental Organizations interested in migration,

"Having recognized that simplification of formalities and reduction of their costs for migrants and for their families would be advantageous to countries of emigration and immigration and would alleviate many of the difficulties which migrants must often face in preparing to emigrate and securing admission to the country of their destination,

"1. Draws the attention of the interested governments to the recommendations contained in the reports of the Secretary-General and invites them to consider the possibilities of adjusting the existing practices and procedures accordingly, in particular by means of bilateral agreement;

"2. Requests the Secretary-General, through all the available facilities of the United Nations, in co-operation with the interested specialized agencies and non-governmental organizations, to promote the best practical means for simplifying formalities and reducing their costs."

b. REPORT BY THE INTERNATIONAL LABOUR ORGANISATION

The Council, in accordance with resolution 396(XIII),¹⁷⁷ had before it at its fourteenth session a report submitted by the Director-General of ILO on methods of international financing of European emigration (E/2235) and an account (E/2235/Add.1) of the proceedings of the Migration Conference convened by ILO at Naples in October 1951.¹⁷⁸ The Director-General of ILO outlined the action taken during 1951 on methods of international financing of European emigration and the action contemplated by ILO on the recommendations of the Naples Conference. This conference and the subsequent establishment of the Provisional Inter-Governmental Committee for the Movement of Migrants from Europe (PICMME)¹⁷⁹ had emphasized the need for solving the basic and long-term problems involved in the organization and financing of satisfactory migration. The migration activities currently being carried out by ILO, the report stated, were concerned with: the protection of migrants; information concerning migration opportunities; the practical selection, placement and vocational training of migrants and their adaptation to new conditions of employment; and the effect of migration upon the economies of the emigration and immigration countries undertaken with a view to raising of living and working standards. The extent of these activities, the report stated, was restricted by the limited resources available to ILO for such work. In most instances, the activities took the form of technical assistance to the countries concerned. Wherever appropriate, projects were being undertaken in co-operation with other agencies, both intergovernmental and non-governmental.

The Council discussed the report at its 649th plenary meeting on 18 July. The majority of members commended ILO for its report and for its work. The representatives of Belgium and the United States, among others, stressed the importance of the establishment of PICMME, to aid in relieving the pressure of population. The representative of France stated that all possible means should be used as quickly and effectively as possible to encourage and assist migrants and to ensure their security and well-being. However, the movement should not compromise the economic recovery of Europe. In his opinion, the encouragement to migrants should, for the time being, take the form of payment of travel expenses and the organization of their transport. The Argentine representative emphasized the link between migration and economic development.

The representative of the World Federation of Trade Unions (WFTU) considered that in order to safeguard the economic and social interests of emigrant workers, the Council should ensure that the most representative trade union organizations should participate in the various stages of migratory movements.

The Council adopted a Canadian draft resolution (E/L.424), first in paragraph-by-paragraph votes and then as a whole, by 13 votes to none, with 5 abstentions. By this resolution (439 (XIV)) the Council took note of the report of ILO on migration (E/2235 and Add.1) and expressed its approval for the Organisation's contribution, through the report, to the Council's continued consideration of problems in the field of migration.

3. Activities during 1952

Pursuant to the report of the Population Commission on its sixth session (E/1989) and Council Resolution 389 (XIII), the Secretary-General continued during 1952 the programme of work in the field of population, placing special emphasis on those aspects of the programme relating to the development of under-developed areas and to the raising of living standards.

A comprehensive summary of the existing knowledge concerning the relationship between population trends and social and economic conditions, which was undertaken in 1949, was completed and expected to be published in 1953 under the title of *Determinants and Consequences of Population Trends: A Summary of the Findings of Studies on the Relationships between Population Changes and Economic and Social Conditions*. Those parts of the report dealing with the factors determining the levels and trends of birth and death rates, the currents of migration, and the growth or decline of population were expected to provide a better basis for national measures of population policy. Those parts relating to the social and economic consequences of population changes would assist Member States, specialized agencies and the United Nations in dealing with problems of manpower, employment and unemployment, in assessing the needs for food, housing and other items of consumption, and in planning programmes for education, social security, conservation of resources and, above all,

¹⁷⁷ See Y.U.N., 1951, p. 576.

¹⁷⁸ See Y.U.N., 1951, p. 865.

¹⁷⁹ Subsequently known as the Inter-Governmental Committee for European Migration. See also under "Refugees and Stateless Persons", p. 496.

for the social and economic development of backward areas.

During 1952 the United Nations continued to collaborate with the Government of India in carrying out a field survey of population trends in relation to social and economic conditions in a selected area of that country. This survey was designed to obtain primary data which could be

used to estimate the birth rates, death rates and rates of growth of different groups of the population, and to analyse the relationships between those rates and the social and economic changes occurring in various parts of the area studied. The survey was expected to assist the Government of India in implementing its five-year plan of economic development.

S. TEACHING ABOUT THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The Economic and Social Council, at its 655th and 656th plenary meetings on 23 July 1952, considered a report, "Teaching of the Purposes and Principles, the Structure and Activities of the United Nations and the Specialized Agencies in Schools and Educational Institutions of Member States" (E/2184 and Add.1 to 5), prepared by the Secretary-General and by the Director-General of UNESCO. The report, prepared in accordance with Council resolution 314(XI),¹⁸⁰ covered the period from March 1950 to March 1952. It summarized information received from Member States, reviewed the programme of the United Nations and UNESCO in the field, and described the co-operation of non-governmental organizations.

The report stressed the importance of basic teaching about the United Nations at the elementary school level and the urgent need for teacher-training programmes in this subject. Ways to improve teaching about the United Nations in the educational systems of Member States were also suggested. For example, it was pointed out that the most important single basis for further improvement lay in the administrative arrangements in educational systems, and criteria were suggested against which such arrangements might be checked. As part of the more general teacher-education programme, it was suggested that Member States might encourage the holding of more national and regional seminars, institutes and workshops on teaching about the United Nations, utilizing the experience and special resources of UNESCO fellows who have studied the practical problems involved.

There was a need at almost all levels, it was stated, for the preparation of suitable materials adapted to national languages and local needs, and it was suggested that Member States might appoint special officers to work with the United Nations and UNESCO in developing such materials. In planning this programme, the needs

of school systems in Trust Territories should also be considered. Various suggestions, including the following, were made for preparing suitable materials:

(1) The United Nations and UNESCO should make available to Member States more prototype material, suitable for adaptation to national and regional needs and for all levels of education; (2) governments should help to develop further the network of strategically placed volunteer educational centres for the United Nations and the specialized agencies and further use ought to be made of existing centres, volunteer correspondents and speakers units; (3) materials normally distributed to such centres by the United Nations and the specialized agencies should be supplemented by nationally produced or adapted materials; (4) non-governmental organizations, Press, radio, and film and television agencies should be encouraged to co-operate in the preparation of suitable material for adult education programmes.

It was further suggested that the programme of the United Nations, UNESCO and other specialized agencies in this field might be co-ordinated with the technical assistance programme for under-developed countries and that small technical assistance appropriations might be made to enable seminars, workshops and institutes on teaching about the United Nations and the specialized agencies to be held in host countries of the United Nations and the specialized agencies.

During the discussion, the majority of members of the Council commented on the progress achieved in teaching about the United Nations at the secondary and higher education levels. The representatives of the Philippines and the United States stressed the need for developing ways of advancing international understanding at the primary school level, since most of the world's school children concluded their education at an early age. The United Kingdom representative said that experiments conducted in his country had proved that international understanding could

¹⁸⁰ See Y.U.N., 1950, pp. 636-37.

not be taught directly to children under eleven. It could best be fostered by using effective materials in the regular school curricula to instil a sense of citizenship and community in the life of the school as a whole. The Mexican representative agreed, and suggested that, in order to work out within a few years a general plan which would be effective in most countries, governments should experiment and fully investigate the possibilities of improving techniques and materials. The representatives of the Philippines and the United States also pointed out that, in spite of the laudable efforts of many non-governmental organizations, teaching at the adult level was generally inadequate and should be intensified, and that every effort should be made to increase the attention paid in teachers' colleges to teaching about the United Nations. Emphasis should also be placed on the eradication of national superstitions and prejudices regarding other people, the Swedish representative said.

Several members of the Council, among them the representatives of Iran, Pakistan, the Philippines and Uruguay, praised the work of the United Nations International School and expressed the hope that it would be able to continue and perhaps become a model for other institutions.

The Council adopted the following two amendments by the Philippines (E/L.444/Rev.1) to a joint draft resolution (E/L.442 and Corr.1) submitted by Cuba, Mexico and the United States.

(1) by 9 votes to none, with 9 abstentions, a new sub-paragraph requesting the United Nations and UNESCO to continue to assist non-governmental organizations working in the field;

(2) by 8 votes to none, with 10 abstentions, a new paragraph inviting UNESCO, in collaboration with the United Nations, to advise those governments which so requested on ways in which teaching about the United Nations might effectively be integrated into their educational programmes.

The joint draft resolution, as amended, was adopted at the Council's 656th plenary meeting on 23 July 1952, by 15 votes to none, with 3 abstentions.

In this resolution (446(XIV)), the Council noted with approval the report by the Secretary-General and the Director-General of UNESCO and regretted that not all United Nations Members had replied to the request for information. It commended the work of the Secretary-General and the specialized agencies in providing individuals, such as those benefiting from international exchange of persons, fellowship and scholar-

ship programmes, with opportunities to familiarize themselves with the work of the United Nations and the specialized agencies. Recognizing that teaching in Member States about the United Nations and the specialized agencies is essential to the fulfilment of the purposes of the Charter, the Council expressed appreciation to non-governmental organizations for their successful programmes and requested the Secretary-General and the Director-General of UNESCO to cooperate in concentrating on teaching materials for use in primary-elementary, adult and teacher education, in encouraging the widest possible dissemination of material so prepared and in continuing assistance to non-governmental organizations working in the field.

The Council invited UNESCO, in collaboration with the United Nations, to advise requesting governments on ways in which teaching about the United Nations might effectively be integrated into their education programmes. It further requested the Secretary-General to compile, on the basis of inquiries to Member States, a further report for the Council in 1956, emphasizing the usefulness to States of material prepared by the United Nations and UNESCO, as well as suggestions for its improvement, and the results achieved by Member States with different types of programmes. The Council invited Member States to examine the report and, in the light of the questions treated therein and of this resolution, to comply with the request of the Secretary-General for material to be used in the 1956 report.

During 1952 the volunteer services of the Education Section of the Department of Public Information, through its network of 739 volunteer education centres and speakers units in 83 countries, reached some five million people. A large number of requests are received by these centres, mainly from educators, teachers, students 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. Thus, in the British Cameroons a volunteer education centre was appointed by the local authorities to do liaison work with the United Nations Visiting Mission in its fact-finding expedition. On its own initiative, a volunteer education centre in Japan translated into Japanese the booklet, *Teaching about the United Nations and the Specialized Agencies*.

Under the auspices of the Education Section, a workshop for teachers, at which 125 elementary

and secondary schools in New York City and the vicinity are represented, has met monthly at the United Nations Headquarters.

The United Nations has co-operated with UNESCO in a programme for fellowships to promote teaching about the United Nations; in 1951 and 1952, eleven fellows came to the United

Nations Headquarters to study the work and activities of the United Nations.

In addition, a large number of publications concerning the work of the United Nations have been published both by the United Nations Department of Public Information and by Member and non-member countries.

T. QUESTIONS OF CO-ORDINATION AND RELATIONS WITH SPECIALIZED AGENCIES

At its fourteenth session, the Economic and Social Council reviewed the development of co-ordination between the United Nations and specialized agencies. It had before it the following documents: the tenth and eleventh reports (E/2161 and Corr.1 and E/2203) of the Administrative Committee on Co-ordination (ACC) and a report (E/2204) of the Secretary-General on regional co-ordination.

The tenth report of the ACC reviewed the machinery for the Expanded Programme of technical assistance, including the development of the work of the Technical Assistance Board (TAB), and made recommendations on the reorganization of the Board.¹⁸¹ The report emphasized the need and the opportunity for concerted action by the various United Nations organizations in respect of these emergency programmes.

It also dealt with certain general considerations regarding the United Nations priority programmes (see below) and drew the attention of the Council to the results of the inter-agency consultations among officers of the United Nations (including UNICEF) and of certain specialized agencies on long-range activities for children. It further noted the progress in the development of a co-ordinated international programme in the field of rehabilitation of the physically handicapped, and discussed administrative matters relating to common services, the International Civil Service Advisory Board, co-ordination of public information activities of the United Nations and specialized agencies, and the problem of securing copyright protection for the works of the United Nations and the agencies.

The eleventh report of the ACC reviewed, *inter alia*, the co-operation in Korea and the Middle East between the United Nations Korean Reconstruction Agency (UNKRA) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAP-RNE) on the one hand, and the specialized

agencies and branches of the United Nations on the other. Dealing with the principles of co-operation in emergency programmes, the ACC emphasized that, in an emergency situation, the area information, the technical experience and the assistance that the specialized agencies could furnish should be placed at the disposal of the emergency organization. Subject to the constitutional powers and procedures of the specialized agencies, however, the nature and scope of its tasks as well as local matters must be left to the emergency agency. Special funds for the emergency programmes must be allocated and put to use by the emergency organization itself. However, specialized agencies should be encouraged to make separate budgetary provisions for the support of emergency programmes. The report also recognized that regular consultations among officers of the emergency agencies and specialized agencies through the machinery of the ACC had proved valuable.

The report then considered the principles of regional co-ordination, outlining the action required at three levels: at headquarters, at the regional centres (or as between regional organizations) and in the individual countries in which work was being carried out. The essential criterion, it stated, was that the measures taken within each organization to co-ordinate central and regional action and measures of regional co-ordination affecting a number of organizations should not frustrate one another. It also reviewed some of the arrangements made for co-operation and co-ordination between the specialized agencies and the regional economic commissions, stating, among other things, that this had led to integration of regional activities with those initiated at the respective headquarters.

The ACC report also dealt with a number of items of an organizational, substantive and administrative nature such as the review of work

¹⁸¹ For reorganization of TAB, see pp. 354-55.

programmes and United Nations priority programmes, (on which it made detailed recommendations) co-ordination of services, scheduling of meetings and questions relating to salary differentials and cost of living adjustments.

The report of the Secretary-General (E/2204) provided information on the progress of regional co-ordination of the programmes of the United Nations and the specialized agencies and relations with non-United Nations regional intergovernmental organizations. It covered programme co-ordination between the United Nations regional economic commissions and the specialized agencies, programme co-ordination between the United Nations and the specialized agencies in respect of particular regions and programme co-ordination among the specialized agencies themselves in respect of particular regions.

The above reports were considered by the Co-ordination Committee of the Economic and Social Council during its consideration of the item "Co-ordination of the work of the United Nations and specialized agencies" at its meetings held between 2 June and 25 July, and by the Council at its 661st and 662nd plenary meetings on 28 July.

While most of the discussion, both in the Committee and in the Council's plenary session, was devoted to the United Nations priority programmes, general appreciation was expressed of the close attention given by the ACC, the Secretary-General and the heads of the specialized agencies to the problems of co-ordination and of the progress that had been achieved in that direction.

In its report (E/2306) the Co-ordination Committee noted the progress made in the past year towards more effective co-ordination of the work of the United Nations and the specialized agencies. It further noted the policy guidance which the ACC had given towards the reorganization of the machinery for the Expanded Programme of technical assistance, and the principles which it had formulated in regard to regional co-ordination and the relations between emergency organizations and the permanent organs of the United Nations and the specialized agencies. It proposed a draft resolution which was adopted by the Council, by 12 votes to none, with 6 abstentions, on 28 July 1952.

In this resolution (451 A (XIV)) the Council, after noting the report of its Co-ordination Committee, expressed satisfaction with the progress made in the past year towards more effective co-ordination and urged continued efforts in that direction.

By the same resolution, the Council adopted the statement on United Nations priority programmes contained in the report, approved the recommendations of the Co-ordination Committee concerning the review of programmes and expressed its appreciation to the Advisory Committee on Administrative and Budgetary Questions for the observations submitted in response to the Council's request. The Secretary-General was asked to bring these observations to the attention of the specialized agencies and the organs of the United Nations concerned for appropriate action.

The questions of priority programmes, the review of programmes and administrative and budgetary co-ordination which received more detailed consideration either in the Economic and Social Council or in the General Assembly are dealt with below.

1. United Nations Priority Programmes

The Economic and Social Council in resolution 402 B (XIII), adopted on 17 September 1951, decided to include in the agenda of its fourteenth session the question of "The adoption of United Nations Priority Programmes" and requested the Administrative Committee on Co-ordination (ACC) to submit, before that session, its comments on the suggestions made by delegations at the thirteenth session and any further proposals which it deemed useful.

The ACC put forward, in its tenth report (E/2161 and Corr.1), certain preliminary considerations in the matter and in its eleventh report (E/2203) set out detailed proposals. It drew attention to three objectives which seemed to call for an intensification of effort by the United Nations as a whole: the economic and social development of under-developed areas; measures for promoting domestic full employment and international economic stability; and the formulation and observance of human rights. At the same time, the ACC considered that provision should also be made for assigning, from time to time, special priority to emergency programmes of importance requiring the mobilization of the efforts and resources of the United Nations agencies, and suggested that the programmes for Korean reconstruction and for the relief and the promotion of the economic self-support of Palestine refugees currently deserved such priority.

The question of priorities was discussed by the Council's Co-ordination Committee at its 101st to 113th meetings between 2 June and 25 July

1952 and by the Council, in plenary session, at its 661st and 662nd meetings on 28 July 1952.

The report (E/2306) of the Co-ordination Committee to the Council, contained a list of priority programmes which was approved by the Council with some amendments in its resolution 451 A (XIV) on 28 July 1952. The list was as follows:

List of priority programmes in the economic and social fields

A. Increased food production and distribution

INCREASED FOOD PRODUCTION:

(a) Better control, management and multiple utilization of land and water resources, including the development of arid zones;

(b) Improved economic incentives of agricultural producers and workers;

(c) Land reforms in connexion with general economic development plans;

(d) Campaigns against plant and animal diseases.

IMPROVED UTILIZATION OF FOOD PRODUCTION:

(a) Improved distribution of food products;

(b) Promotion of better conservation methods, particularly in regard to storage;

(c) Processing of food products within the countries of origin and dissemination of technical advances in such processing.

B. Increased production in fields other than food

(a) Promotion of industrial development and of the improvement of production techniques;

(b) The training of management and workers, including vocational education and guidance;

(c) With a view to the utilization of the natural resources of a country, the expediting of the establishment of plans and development projects in heavy and light industry, transport, power and related fields;

(d) Expediting of the planning and exploration of means of financing such projects;

(e) Development of incentives, institutions and attitudes favourable to increased productivity.

C. Measures for promoting domestic full employment and economic stability within an expanding economy

(a) Action designed to achieve and maintain full employment;

(b) Promotion of measures for the control of inflation or deflation;

(c) Promotion of a steady growth of international trade, with due regard to achieving an equilibrium in international accounts;

(d) Adoption of measures to increase the export by the economically developed countries of industrial equipment and other capital goods essential to the development of the under-developed countries.

D. Acceleration of welfare, social security and basic public health programmes

(a) Promotion of welfare and social security programmes:

Social insurance and related measures; extension of social insurance and provision of assistance in old age, disablement and sickness;

Improved labour standards;

Strengthening of national programmes for family and child welfare;

Extension of housing programmes and assistance in the provision of housing for people in lower income brackets;

(b) Promotion of basic public health programmes: Strengthening of public health programmes;

Prevention and control of the major communicable diseases;

(c) Assistance in community development and organization, with special emphasis on the problems of adaptation of under-developed or transplanted communities to the conditions of modern life.

E. Development of education and science

(a) Free and compulsory elementary education;

(b) Fundamental education for those without formal schooling;

(c) Education for a better understanding of the principles, purposes and methods of international co-operation;

(d) Accessibility of education and cultural life to all sections of the population;

(e) Scientific education and research.

F. Formulation and wider observance of human rights

(a) Fuller dissemination of the Universal Declaration of Human Rights and completion of the covenants on human rights;

(b) Promotion of human rights and their observance, including elimination of forced labour, of restrictions on freedom of association, and of all discriminatory measures referred to in the Universal Declaration of Human Rights;

(c) Promotion of freedom of information and of the Press.

The list was drawn up, the Council stated, subject to the overriding objective of keeping in view at all times the economic and social development of under-developed areas. It was considered that this over-all priority should apply to all of the programmes listed, particularly to those connected with increased food production and distribution, and increased production in other fields. The Council recognized that the priorities listed would not apply to some urgent problems of particular regions which might call for special measures. It noted further that the list was not a comprehensive one which attempted to cover all the activities of the United Nations and the specialized agencies, but represented rather the major activities on which efforts should be further concentrated.

While recognizing that both the commissions and the specialized agencies were engaged in certain programmes which were not listed, the Council decided:

(1) To request the functional and regional commissions to appraise their programmes in the light of the priority programmes outlined by the Council and, as

far as possible, to give special emphasis to projects likely to contribute directly to the fulfilment of these priority programmes; and (2) to invite the specialized agencies to keep the suggested priorities in mind when reviewing and formulating their programmes and to give their comments on these priorities.

During the discussion, both in the Committee and in plenary session, a number of representatives, including those of Argentina, Mexico, Sweden and the United Kingdom, expressed doubts as to the usefulness of a detailed list of priorities. The representative of the USSR supported by the representatives of Czechoslovakia and Poland, stated that a number of objectives not included in the list should be given prominence. These included such questions as:

"Cessation of the reduction of civilian industry and expansion of civilian production"; "improvement of the situation of the unemployed and the semi-employed by means including the introduction of state unemployment insurance, free medical services, the granting of allowances and the improvement of housing and other living conditions"; "restoration and extension of international economic relations by the renunciation of all forms of discrimination and restrictions in international trade"; "implementation of the General Assembly resolution 110(II) concerning measures to be taken against propaganda and the inciters of a new war"; "participation of women in political and economic matters, including measures to secure the full implementation in all countries of the principle of equal pay for equal work"; and a fuller statement concerning promotion of freedom of information and of the Press (see below).

In the plenary session, the USSR submitted amendments and additions (E/L.453) to the list embodying these suggestions and containing the following additional points: "extension of social insurance and provision of assistance in old age, disablement and sickness"; "provision of medical services more easily accessible to the population without discrimination on grounds of race, sex, language, religion, material position and racial origin". In section F of the list dealing with human rights the USSR proposed the addition of provisions to eliminate discriminatory measures "based on distinctions of race, colour, sex, language, religion, political or other opinion, national or social origin, or property, birth or other status".

It also proposed that sub-section (c) of section F of the list, dealing with "promotion of freedom of information and of the Press", be replaced by the following new item "Promotion of freedom of information and of the Press; the use of all means to encourage and promote, with the help of truthful and objective information, the development of friendly relations and co-operation between nations in the settlement of economic, social and humanitarian problems, and prevention of the use of freedom of information and of the Press

for the purpose of creating enmity between nations, for war propaganda and for racial discrimination".

The majority of representatives, while not contesting the importance of some of these problems, felt that they should not be included in the list of priorities in the form in which they had been drawn up. Moreover, it was felt that many of these questions had already been covered.

The various points of the USSR amendments were voted on separately at the Council's 662nd meeting. The point relating to the "extension of social insurance and provision of assistance in old age, disablement and sickness" (see Section D, sub-section (a) of the list) which was not covered in the original list submitted by the Co-ordination Committee, was adopted by 8 votes to 7, with 3 abstentions.

The rest of the points in the USSR amendment were rejected by votes ranging from 8 votes to 5, with 5 abstentions, to 11 votes to 3, with 4 abstentions.

Section C sub-section (d) of the list submitted by the Co-ordination Committee had contained a provision whereby the under-developed countries would increase the export of raw materials essential to the economic life of the industrialized countries. During the voting in the plenary meeting the representative of Poland requested that this provision be voted on separately and by roll-call. The voting was as follows:

In favour: Belgium, Canada, China, France, Sweden, United Kingdom, United States.

Against: Cuba, Czechoslovakia, Egypt, Mexico, Pakistan, Philippines, Poland, USSR.

Abstaining: Argentina, Iran, Uruguay.

The proposal was, therefore, rejected by 8 votes to 7, with 3 abstentions.

The representative of the United States requested a separate vote on the words ". . . and cultural life" in Section E, sub-section (d) of the list providing for "Accessibility of education and cultural life to all sections of the population". The United States representative felt that the words were too vague. He also requested a separate vote on Section E, sub-section (e) which listed "Scientific education and research".

The words "and cultural life" were retained by a vote of 12 to 2 with 3 abstentions. Sub-section (e) of Section E was retained by a vote of 12 to 1, with 5 abstentions. The representative of the United States said that he had voted against the proposal to list scientific education and research separately because it formed part of almost every programme on the list.

Sections A, B, C as amended, D as amended, E and F of the list were adopted by 13 votes to none, with 5 abstentions.

2. Review of 1953 Programmes of the United Nations and the Specialized Agencies

In its resolution 402 B (XIII), the Council had decided that at its next summer session it would again review the programmes of the United Nations and the specialized agencies and had requested its commissions and the specialized agencies to review their programmes for 1953 and subsequent years in the manner outlined in General Assembly resolution 413(V) and Council resolution 362 B (XII).

The question was considered by the Co-ordination Committee at its meetings held between 2 June and 25 July and by the Council at its 661st and 662nd plenary meetings on 28 July 1952. The Council had before it a paper by the Secretariat (E/AC.24/L.72) outlining the action taken by the commissions, the specialized agencies and by the emergency agencies of the United Nations to give effect to the Council's recommendation concerning the review of 1953 programmes. It also had before it the reports of its commissions and specialized agencies.

In reviewing the 1953 programmes from the point of view of the implementation of Council resolution 402 B (II) (XIII), the Co-ordination Committee, in its report (E/2306), noted with pleasure the efforts made by the commissions concerned to follow the Council's recommendations as well as the efforts made by the specialized agencies to indicate, in so far as practicable, the major shifts in emphasis in their programmes and their major priorities for the following year. The Committee, the report said, also received with appreciation the information concerning priorities which United Nations emergency agencies such as UNICEF, UNKRA and UNRWAPRNE had submitted.

The report further stated that the Committee had found it difficult to review effectively the action taken by the agencies and commissions regarding priorities without reopening substantive discussion of their reports. It recommended a procedure, which the Council accepted in resolution 451 A (XIV), adopted by 15 votes to none, with 3 abstentions, aimed at avoiding this difficulty in the future. The recommendations were as follows:

(1) Discussion of the action taken by the functional and regional commissions of the Council and by the specialized agencies concerning the establishment of priorities should take place when the reports of these commissions and agencies are considered at plenary meetings of the Council or the Economic and Social Committees of the Council.

(2) The Secretariat should summarize the views thus expressed on the question of priorities in those meetings and bring them to the attention of the Co-ordination Committee.

(3) The Co-ordination Committee should take these views into account when drawing general conclusions regarding the effect given to resolutions of the Council and the General Assembly regarding priorities and when making any recommendations in that connexion.

In the same resolution the Council also approved the following recommendations of the Co-ordination Committee:

That the Council should continue to review each year the programmes of the United Nations and the specialized agencies, and to this end should ask its commissions, the specialized agencies and the emergency agencies to revive annually their future programmes in accordance with the procedure outlined under Council resolution 402 B (II) (XIII) in so far as these procedures were applicable.

That the Council should invite the specialized agencies to report to it on any major shifts in emphasis in their programmes and any major priorities they might have established for the following year.

3. Administrative and Budgetary Co-ordination

a. CONSIDERATION BY THE ECONOMIC AND SOCIAL COUNCIL AT ITS FOURTEENTH SESSION

In response to an invitation by the Secretary-General, on behalf of the President of the Economic and Social Council, the Advisory Committee on Administrative and Budgetary Questions submitted observations¹⁸² on administrative and budgetary co-ordination between the United Nations and specialized agencies which might in its opinion assist the Council in reviewing the 1953 programmes of the United Nations and the specialized agencies. These observations related to budgetary stabilization, financial implications of new projects, expenditure on travel by international officials, reduction of documentation, "staggering" of conferences and application by the specialized agencies and the commissions of the criteria for priorities established by the Council at its eleventh session.

¹⁸² See Official Records of the Economic and Social Council, Fourteenth Session, Supplement No. 1, appendix to the annex of resolution 451 (XIV), pp. 54-56.

The Council in resolution 451 A (XIV) expressed its appreciation of these observations and requested the Secretary-General to bring them to the attention of the specialized agencies and the organs of the United Nations concerned for appropriate action.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The question of administrative and budgetary co-ordination was also considered by the General Assembly at its seventh session both in the Fifth Committee and in plenary session. The Fifth Committee considered the question at its 370th meeting on 12 December 1952. It had before it the following documents: Information Annex II to the Secretary-General's budget estimates for 1953 (A/2125/Add.1); a report of the Secretary-General on common services and co-ordination of services at various centres (A/C.5/504); the twenty-fifth report of the Advisory Committee (A/2287).

During the discussion in the Fifth Committee the Chairman of the Advisory Committee drew attention to the following points covered in the report of his Committee: the question of continuing arrears of contributions and the methods adopted to meet the situation; the need for legislative control of technical assistance programmes and expenditures; and the difficulties in developing a consolidated budget for the United Nations and the specialized agencies.

The representative of the United States, while acknowledging that much progress had been made in achieving co-ordination, expressed his Government's concern at the size of the task still to be accomplished. This, he felt, could be done only if the representatives of Member States acted to achieve that co-ordination. He suggested that the entire question of the relationship between the United Nations and the specialized agencies might be reopened when the question of the revision of the Charter was considered in 1955.

The representative of Belgium emphasized the importance of maintaining the independence of the specialized agencies but agreed on the need for achieving the widest possible co-ordination and considered that this could be achieved by agreement at national levels between the various departments and ministries of each government.

The representative of Canada stated that some agencies had been more successful than others in establishing priorities and in stabilizing their budgets. Some agencies had also been more suc-

cessful than others in establishing administrative practices and in applying sanctions to States in arrears of their contributions. He urged the necessity of greater uniformity in the treatment of these problems.

In the light of the discussions in the Committee the Chairman submitted a draft resolution which would invite the attention of the specialized agencies to the recommendations made in the Advisory Committee's report and request the Secretary-General to give continued attention to the co-ordination of administrative procedures and services.

A second draft resolution (A/C.5/L.208/-Corr.1) by Canada and the Netherlands, related to audit procedures of the United Nations and the specialized agencies—a question which was discussed at the Committee's 368th meeting. Speaking on this question, the representative of Canada suggested that the General Assembly should review audit procedures. He considered that it was not in the interest of the United Nations that one country (Canada) should be permanently represented on the Board of Auditors. The Canadian Government had agreed to the reappointment of the Canadian Auditor General to this post only because it was essential for the United Nations to have one member of the Board near New York and in a position to supply the necessary examiners for the audit of the New York accounts.

The joint draft resolution would invite the Secretary-General and the heads of the specialized agencies to review the present audit procedures and to make recommendations.

The Fifth Committee adopted both draft resolutions by 39 votes to none, with 5 abstentions (A/2324). Both resolutions were adopted by the General Assembly, without objection, at its 409th plenary meeting on 20 December 1952, as resolutions 672 A and B (VII).

"The General Assembly

"1. Takes note with satisfaction of the report of the Advisory Committee on Administrative and Budgetary Questions dealing with the administrative budgets of the specialized agencies for 1953 and of the Secretary-General's report on common services and co-ordination of services of the United Nations and the specialized agencies at various centres;

"2. Invites the attention of the specialized agencies to the recommendations and suggestions made in the Advisory Committee's report, as well as to the views expressed by Members during the seventh session of the General Assembly;

"3. Requests the Secretary-General, in consultation with the executive heads of the specialized agencies and

with the Advisory Committee on Administrative and Budgetary Questions, to give continuing attention to the co-ordination of administrative procedures and services."

B

"The General Assembly,

"Noting the increase in the activities of the United Nations and the specialized agencies and the related increase in their financial responsibilities,

"1. Considers that the present system for the audit of their financial accounts may not be the most suitable and efficient that can be devised to meet these increased requirements;

"2. Invites the Secretary-General and the executive heads of the specialized agencies, in consultation with the Joint Panel of Auditors, to review in the Administrative Committee on Co-ordination the present audit procedures and arrangements, and to make appropriate recommendations on any changes or improvements they may consider desirable;

"3. Invites the governments of Member States to submit any views or recommendations they may have on this question to the Secretary-General for his consideration and for transmittal to the specialized agencies and the Advisory Committee on Administrative and Budgetary Questions;

"4. Requests the Advisory Committee on Administrative and Budgetary Questions to examine the recommendations of the Administrative Committee on Co-ordination and to report thereon to the General Assembly at its eighth session;

"5. Decides to include an item in the provisional agenda of the eighth session of the General Assembly entitled 'Review of audit procedures of the United Nations and the specialized agencies'".

4. Programme of Conferences at United Nations Headquarters and at Geneva

In resolution 534(VI) the General Assembly had requested the Secretary-General, after consultation with the specialized agencies and the principal organs of the United Nations concerned, to prepare an annual conference pattern for submission to its seventh session.

In his report (A/2243), the Secretary-General narrated the results of the consultations with the Economic and Social Council and the Trusteeship Council and with the executive heads of the specialized agencies. He stated that there had been a divergence of views in the Economic and Social Council on the question, some delegations holding that Headquarters bodies should always meet at Headquarters, others maintaining that some of them should periodically meet at Geneva. Neither Council had felt that it was in a position at that time to suggest a fixed annual pattern for itself and its subsidiary organs. The Economic and Social Council had adopted a resolution (458(XIV)) inviting "the Secretary-General to take due account of the views on

the subject expressed during the fourteenth session of the Council when he prepares basic conference patterns of meetings for submission to the next regular session of the General Assembly". The Trusteeship Council had decided to postpone consideration of the matter until it met again in November 1952. The representatives of specialized agencies situated in Europe, when consulted, emphasized the importance of maintaining the closest relationship with the Economic and Social Council and maintained that the scheduling of the conferences of different international organizations was dependent upon long-term and firm arrangements regarding the time and place of the sessions of that Council. The Secretary-General's report also gave relevant information on conference activities at the United Nations Headquarters and its European Office, together with financial estimates for holding certain meetings at Geneva rather than at Headquarters.

At its 398th plenary meeting on 25 November the General Assembly adopted, without reference to a Committee and without objection, a joint draft resolution submitted by Argentina, Belgium, Denmark and France (A/L.114) as amended by the United Kingdom (A/L.115). In this resolution (698(VII)) the Assembly expressed the conviction that a regular programme should be prepared for the rational and economic distribution of United Nations conferences and meetings between the permanent Headquarters and the United Nations Office at Geneva, making full use of the available facilities. It instructed an ad hoc committee of twelve members, to be appointed by the President of the General Assembly to prepare, with the assistance of the Secretary-General, a programme of this kind covering a period of from three to five years and providing for sessions of the Councils and functional commissions to be held in Geneva at regular intervals and to report to the Assembly as soon as possible.

The Special Committee, consisting of Argentina, Australia, Belgium, Czechoslovakia, Denmark, France, Iraq, Pakistan, the USSR, the United Kingdom, the United States and Venezuela, held its first meeting on 26 November. It recommended (A/2323) the following resolution which was adopted by the General Assembly at its 409th plenary meeting on 20 December 1952 by 45 votes to 2, with 5 abstentions, as resolution 694(VII). It read:

"The General Assembly,

"Taking note of the report and recommendations of the Special Committee on Programme of Conferences,

"Mindful of the necessity of firmly fixing a long-term pattern of conferences to allow for the rational and economic distribution of meetings between Headquarters and Geneva and to permit the proper utilization of staff and conference facilities at both places,

"Recognizing the importance to the United Nations and the specialized agencies of having a regular conference pattern,

"1. Decides that a regular pattern of conferences should be established for a period of four years commencing on 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 the following exceptions:

"(a) The regular summer session of the Economic and Social Council would be held each year in Geneva during which period no other meeting of the United Nations bodies would be held in Geneva;

"(b) Sessions of a functional commission or of functional commissions (but preferably not more than one) of the Economic and Social Council, to be determined by the Economic and Social Council, would meet in Geneva without overlap for a total period not exceeding five weeks between mid-March and the end of April;

"(c) The International Law Commission would meet in Geneva only when its session could be held there without overlapping with the summer session of the Economic and Social Council;

"2. Requests the Secretary-General to transmit to all organs of the United Nations and to the specialized agencies a conference pattern based on the principles enumerated above;

"3. Recommends to all organs of the United Nations that they arrange their meetings in accordance with the dates and places set forth in the pattern presented by the Secretary-General, and invites the specialized agencies concerned to give due consideration to this pattern in drawing up their own programmes of meetings."

5. Postal Activities of the United Nations

At its 662nd meeting, at its fourteenth session, the Economic and Social Council considered the question of common arrangements between the United Nations and the specialized agencies with regard to postal matters. A resolution had been adopted on the question by the XIIIth Congress of the Universal Postal Union. The UPU had recommended that any further postal activity proposed by the United Nations or by a specialized agency should be the subject of consultation with UPU through its Congress or its Executive and Liaison Committee, and that after such consultation any agreement should be concluded only after favourable recommendation by the General Assembly.

The Council, after discussion, noted this resolution and adopted, by 14 votes to 3, with 1 abstention, resolution 451 B (XIV) requesting the specialized agencies to submit any proposals

concerning postal operations to the Secretary-General for consultation with UPU through its competent organs, and for subsequent consideration by the General Assembly.

6. Applications for Membership in UNESCO

The Economic and Social Council considered the applications for membership in UNESCO of the United Kingdom of Libya, Spain and Nepal (E/2167/Add.1 and 2) during its fourteenth session, at the 573rd plenary meeting, on 21 May 1952. There was unanimous support for the applications of Libya and Nepal, but the representatives of Czechoslovakia, Poland and the USSR opposed the admission of Spain on the ground that the regime in that country had been branded as Fascist by the General Assembly which had also stated that Spain could not be admitted to membership in the United Nations. The representative of Mexico expressed a similar point of view.

The Council, in three separate votes, adopted resolution 452 (XIV) by which it decided to inform UNESCO that it had no objection to the admission of these three States to that organization. The parts of the resolution referring to Libya and Nepal were adopted unanimously. The part of the resolution referring to Spain was voted on by roll-call and was adopted by 12 votes to 5, with 1 abstention, as follows:

In favour: Argentina, Belgium, Canada, China, Cuba, Egypt, France, Iran, Pakistan, Philippines, United Kingdom, United States.

Against: Czechoslovakia, Mexico, Poland, USSR, Uruguay.

Abstaining: Sweden.

7. Application of Japan for Membership in ICAO

In a note (A/2176) dated 8 September, the Secretary-General stated that he had received from the Secretary-General of the International Civil Aviation Organization (ICAO) a note transmitting, in accordance with article II of the Agreement between the United Nations and ICAO, an application from the Government of Japan for admission to participation in the Convention on International Civil Aviation. He proposed that the item be placed on the agenda of the seventh session of the General Assembly.

An explanatory memorandum (A/2176/Add.1) by the Secretary-General, dated 7 October, set

forth the relevant instruments and other background information such as the decisions of the Assembly regarding the admission of other non-member States to ICAO.

The General Assembly considered the item without reference to a committee, at its 391st plenary meeting on 6 November 1952. It adopted, without debate, by 53 votes to none, with 6 abstentions, a draft resolution (A/L.113) by Canada, Peru, the United States and Venezuela, by which the Assembly would inform ICAO that it had no objection to the admission of Japan to that organization. On the request of the representative of the Philippines, a vote was taken by roll-call and the draft resolution was adopted by 53 votes to none, with 6 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Belgium, Bolivia, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Byelorussian SSR, Czechoslovakia, Philippines, Poland, Ukrainian SSR, USSR.

The resolution adopted by the General Assembly (697(VII)) read:

"The General Assembly,

"Having considered the application regarding the admission of Japan to the International Civil Aviation Organization, transmitted by that organization to the General Assembly in accordance with article II of the agreement between the United Nations and the International Civil Aviation Organization,

"Decides to inform the International Civil Aviation Organization that it has no objection to the admission of Japan to the organization."

8. Annual Reports of the Specialized Agencies¹⁸³

a. INTERNATIONAL LABOUR ORGANISATION (ILO)

The Council considered the annual report (E/-2240) of the International Labour Organisation at its 646th to 649th meetings from 16 to 18 July and heard a statement by the representative of ILO. Most representatives expressed appreciation of the work done by the organization during the past year and especially that it was placing increasing emphasis on activities in under-developed areas while continuing its traditional task of establishing international labour standards.

ILO's efforts were commended in the field of manpower, in raising living standards of workers, in establishing minimum social security standards, increasing labour productivity, improving industrial relations and tackling such special problems as those of agricultural and women workers. Satisfaction was expressed at the way in which ILO had co-ordinated its activities with those of the United Nations, other specialized agencies and other international organizations such as the Council of Europe.

The representatives of Czechoslovakia, Poland and the USSR, however, expressed the view that ILO had failed to comply with the principles laid down in its constitution and that, instead of serving the interests of the workers, it had served those of capitalistic monopolies by supporting the supply of manpower for armaments production. The representative of the WFTU also made a statement supporting this view.

The Council adopted, by 15 votes to 3, resolution 447(XIV) taking note with appreciation of the report of ILO.

b. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)¹⁸⁴

c. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)

The Council considered the annual report of UNESCO (E/2226) at its 616th and 617th meetings on 24 June and heard a statement from the Director-General of the organization. There was general satisfaction with the efforts made by UNESCO to revise its programme of work in order to achieve greater concentration of effort and more far-reaching co-ordination with the United Nations and with other specialized agencies. There was particular appreciation of UNESCO's progress in fundamental education, in improving access to books and in technical assistance. It was noted with satisfaction that the International Agreement, sponsored by UNESCO, on the Importation of Educational and Scientific Material had come into effect on 21 May 1952.

The Council adopted by 15 votes to none, with 3 abstentions, resolution 449(XIV) taking note with appreciation of the report of UNESCO.

¹⁸³ For an account of the activities of the specialized agencies during 1952 see under their respective headings, Part II.

¹⁸⁴ For Council's consideration of the report and of the food situation, see above under Food and famine.

d. WORLD HEALTH ORGANIZATION (WHO)

The annual report of WHO (E/2239 and Corr.1 and Add.1 to 3) was considered by the Council at its 612th plenary meeting on 19 June. Representatives expressed general appreciation for the work done by the organization in the past year, in particular its anti-malaria campaigns and the steps it had taken to prevent epidemics. The completion of the plan for decentralization of WHO's services was also noted. The representatives of Canada and France expressed the hope that the organization's role as Co-ordinator of international health work would not suffer as a result of too rapid decentralization. The United States representative expressed concern at the continued rise in WHO's budget.

The Council adopted, by 15 votes to none, with 3 abstentions, resolution 448 (XIV) taking note with appreciation of the report. The Council noted with approval the priority given to the development of health services and health training programmes and commended WHO for adopting the International Sanitary Regulations, for publishing the first volume of the International Pharmacopoeia and for its excellent record in providing assistance in connexion with health programmes in the Republic of Korea and for Palestine refugees.

e. INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

At its 621st and 622nd meetings on 26 and 27 June the Council considered the report of the International Civil Aviation Organization (E/2218 and Add.1) and heard a statement from the representative of that organization. Appreciation was generally expressed of ICAO's technical, legal and economic activities. In the technical field, ICAO's assistance in the training of personnel was noted and the need for giving more such assistance to under-developed countries was emphasized by representatives of China and Pakistan. The representative of the United Kingdom noted the comments in the report on jet and turbine-propelled aircraft while the United States representative referred to the excellent safety record of 1951. The representative of Belgium noted that ICAO had successfully completed the annexes to the Chicago Convention on International Civil Aviation, and that its Legal Committee had accomplished important work, including the revision of the Warsaw Convention for the Unification of Certain Rules Relating to International Carriage by Air and the study of new draft conventions on the legal status of

aircraft. He also made a plea for the reorganization of ICAO's administrative structure with a view to economy.

The representative of Czechoslovakia, while expressing appreciation of the valuable technical work of ICAO, stated that the organization had, however, failed to prevent discrimination in civil aviation operations. He referred, in particular, to an order by France, the United Kingdom and the United States whereby Czechoslovak aircraft were forbidden to fly over Western Germany.

The representative of ICAO said that he was not familiar with the details of the case and that he was not aware that Czechoslovakia had submitted a complaint to ICAO on the matter.

The Council adopted, by 15 votes to none, with 3 abstentions, resolution 248 (XIV) taking note of the report of ICAO.

f. INTERNATIONAL TELECOMMUNICATION UNION (ITU)

The annual report of the International Telecommunication Union (E/2243) was considered at the 621st meeting of the Council on 26 June when the Council heard a statement by the representative of ITU. General appreciation was expressed of ITU's work with regard to the allocation of the radio spectrum space, the organization's close co-operation with the United Nations and with other specialized agencies including participation in the Expanded Programme of technical assistance.

The representative of the USSR protested against the decisions made at the Extraordinary Administrative Radio Conference at Geneva regarding the allocation of the radio frequency spectrum which, he said, did not take account of previous allocations.

The Council adopted, by 14 votes to 3, resolution 429 (XIV) expressing satisfaction with the report of ITU.

g. UNIVERSAL POSTAL UNION (UPU)

The Council considered the report of the Universal Postal Union (E/2179) at its 622nd meeting on 27 June and heard a statement from the representative of that organization.

During the discussion, mention was made of UPU's close co-operation with ICAO and with the International Air Transport Association on international air mail matters. The representative of the United States, while expressing appreciation of the report of UPU, felt that the section dealing with its relations with the United Na-

tions was somewhat brief. He hoped that in its future reports more reference could be made to efforts to implement those recommendations of the General Assembly and of the Council which were of concern to UPU.

The Council adopted, by 14 votes to none, with 3 abstentions, resolution 430 (XIV) taking note with satisfaction of the report of UPU.

h. INTERNATIONAL REFUGEE ORGANIZATION (IRO)¹⁸⁵

i. WORLD METEOROLOGICAL ORGANIZATION (WMO)

The Council considered the report of the World Meteorological Organization (E/2196) at its 622nd plenary meeting on 27 June and heard a statement by a representative of that organization. Several representatives expressed satisfaction at the solid foundation established by WMO in the first eight months of its existence as a specialized agency. Note was taken of WMO's progress in establishing relationship with other specialized agencies. The hope was expressed that more information on WMO's technical work would be included in future reports.

The Council adopted by 15 votes to none, with 3 abstentions, resolution 431 (XIV) taking note with satisfaction of the report.

j. INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND INTERNATIONAL MONETARY FUND¹⁸⁶

The Council considered the annual report of the International Bank (E/2168 and Add.1) at its 605th and 606th plenary meetings on 16 June and that of the International Monetary Fund (E/2169 and Add.1) at its 584th plenary meeting on 29 May. The President of the Bank and the Managing Director of the Fund made statements before the Council. The Council unanimously adopted resolutions 416 B (XIV) and 421 (XIV) taking note, respectively, of the reports of the Bank and the Fund.

9. Audit Reports on Expenditure by Specialized Agencies of Technical Assistance funds from the Special Account

Resolution 519 A (VI)¹⁸⁷ adopted by the General Assembly on 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 of the appropriate audit reports by the general conferences of their agencies or by such other authorities of the agencies as are constitutionally authorized to approve them".

Pursuant to this resolution, the Secretary-General, in a note (A/C.5/518) dated 25 November 1952, transmitted to the Assembly the reports which had been submitted by the specialized agencies participating in the Expanded Programme of technical assistance. These reports comprised for each agency financial statements covering operations under the Expanded Programme in the form prescribed by the Technical Assistance Board, 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 participating organizations under the Expanded Programme as of 31 December 1951, 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 the exception of the audit reports relating to the accounts of UNESCO and FAO, the audit reports in question had been approved by the general conference or by such other authorities of the agencies concerned as were constitutionally authorized to approve them. In the case of UNESCO, the audit report had been submitted to the session of its general conference which commenced on 12 November 1952. In the case of FAO, the audit report had been considered by the Council of FAO but could not be finally approved until the next session of the Conference of FAO in 1953.

Total allocations from the Special Account during the period under review amounted to \$13,163,004, of which \$6,256,771 was spent or obligated up to 31 December 1951.

¹⁸⁵ For the activities of IRO see pp. 491-92.

¹⁸⁶ For Council's consideration of these reports see above under Economic Development and World Economic Situation, respectively.

¹⁸⁷ See Y.U.N., 1951, pp. 400-01.

In its nineteenth report to the seventh session of the General Assembly (A/2270), the Advisory Committee on Administrative and Budgetary Questions stated that the proportion of administrative and indirect operational costs in relation to the total of obligations incurred, based on figures appearing in the Secretary-General's note was as follows:

	Project Costs	Administrative and Indirect Operational Costs (net)
	Per cent	
United Nations	61	39
ILO	69	31
FAO	73	27
UNESCO	77	23
ICAO	86	14
WHO	75	25
TOTAL (per cent)	72	28
TOTAL	4,515,145	\$1,741,626

The Advisory Committee, *inter alia*, found the proportion of administrative costs to total expenditure to be "extremely high". In its opinion, it was possible that central servicing units had been expanded in advance of actual needs and on a scale which was not warranted by the current development of direct country activities. It recom-

mended the competent legislative bodies of the specialized agencies to give this subject adequate consideration. The Advisory Committee suggested that efforts should be made to distribute indirect operational costs to the respective projects, possibly on a general pro rata basis.

The Fifth Committee at its 367th meeting on 1 December considered the Secretary-General's note and the comments on it by the Advisory Committee. The representative of Egypt called special attention to the observation of the Advisory Committee regarding the proportion of administrative costs to total expenditure.

The Fifth Committee, by 44 votes to none, with 5 abstentions, adopted a resolution (A/-2321) which was considered by the General Assembly at its 409th plenary meeting on 20 December and was adopted without discussion as resolution 673(VII). It read:

"The General Assembly

"1. Accepts the audit reports relating to expenditure by specialized agencies of technical assistance funds allocated from the Special Account for the period from the inception of the Expanded Programme of Technical Assistance to 31 December 1951;

"2. Takes note of the observations thereon of the Advisory Committee on Administrative and Budgetary Questions."

U. RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

1. Application of Headquarters Agreement¹⁸⁸ to Representatives of Non-Governmental Organizations in Consultative Status with the Economic and Social Council

The General Assembly, on 1 February 1952, adopted resolution 606(VI)¹⁸⁹ authorizing the Secretary-General, upon request of the Economic and Social Council or its Committee on Non-Governmental Organizations, to make arrangements to enable the representative designated by any non-governmental organization having consultative status to attend public meetings of the General Assembly whenever economic and social matters are discussed which are within the competence of the Council and of the organization concerned. The Assembly further requested the Secretary-General to continue to give assistance to representatives of such non-governmental organizations in facilitating transit to or from sessions of the Assembly and its Committees.

At its fourteenth session, from 20 May to 1 August 1951, the Council had before it two

proposals on the application of the Agreement to representatives of non-governmental organizations under the terms of the Assembly's resolution.

One of these proposals, presented by Poland (E/L.372), would state that it was not necessary for the Council to discuss each individual case of inviting representatives of non-governmental organizations to attend the Assembly, and would attribute infringements of the provision of the Agreement to the Government of the United States. It proposed that the Assembly be requested to reconsider resolution 606(VI) with a view to drawing to the attention of the United States

¹⁸⁸ The Agreement, which concerns, among other things, special privileges regarding transit and visas for visits to the Headquarters District, was signed on 26 June 1947 by the Secretary-General of the United Nations and by the Secretary of State of the United States and was brought into effect by an exchange of notes between the Secretary-General and the permanent representative of the United States at the seat of the United Nations, on 21 November 1947. For text, see Y.U.N., 1947-48, pp. 199-204.

¹⁸⁹ See Y.U.N., 1951, p. 597.

Government the inadmissibility of practices violating sections 11 and 13 of the Headquarters Agreement. This draft resolution would further request the Secretary-General to continue to give assistance to representatives of non-governmental organizations including access to the Headquarters District to facilitate the carrying out of their consultative functions, attendance at public meetings of the Assembly and the Council when matters of interest to the organization were to be discussed, and assistance to enable representatives to obtain necessary visas in accordance with provisions of sections 11 and 13 of article IV of the Agreement.

The second draft resolution, presented by France (E/L.317), would request the Secretary-General to invite each organization in categories A and B to send a representative to attend public meetings of the Assembly in regular sessions at which economic and social matters within its competence were to be discussed. It was argued that this proposal, which complied with the Assembly's instructions, would end the controversy and solve the problem by means which lay within the powers of the Council and the Secretary-General.

The Council discussed the application of the Agreement at its 572nd, 576th, 578th, 579th, 591st, 596th, 600th, 618th and 619th plenary meetings, from 21 May to 25 June 1951.

The representative of Poland, presenting his draft, argued that resolution 606(VI) authorizing the Secretary-General to make arrangements to enable the representative designated by any non-governmental organization having consultative status to attend meetings of the Assembly only upon request of the Council or its NGO Committee was in contradiction with the Headquarters Agreement, and that it was illogical for this resolution to provide for representatives of non-governmental organizations to attend meetings of the Assembly but not of the Council.

The Polish proposal was supported by the representatives of Czechoslovakia and the USSR who alleged that the Government of the United States had denied admittance to representatives of non-governmental organizations to the Headquarters District on a number of occasions since the autumn of 1950. These representatives also maintained that the proposal would guarantee that non-governmental organizations would be able to participate in the work of the United Nations in accordance with the principles laid down in Article 71 of the Charter, free of any arbitrary restrictions imposed by one Member State.

Among representatives who supported the French proposal were those of Argentina and Sweden. The representatives of Sweden and Uruguay pointed out that important questions of principle were involved. The representative of the Philippines felt that "excessive caution" in the granting of visas might impede the work of the Organization.

The representative of the United States, supporting the French proposal, denied that his Government had at any time violated the Headquarters Agreement with respect to the admission of representatives of non-governmental organizations to sessions of the Council or its subsidiary bodies. Certain understandable delays in issuing visas had occurred, but he said that representatives of non-governmental organizations who were more interested in attending a session than in publicity could attain their purpose by applying for visas sufficiently in advance. United States legal experts had held the opinion that the Agreement did not apply to persons wishing to attend the Assembly under arrangements made by the Council; however, since the General Assembly in resolution 606(VI) had made it clear that representatives of non-governmental organizations could be invited to attend meetings of the Assembly, the United States Government had concluded that the Agreement would apply to such representatives and would in future act on that premise. He further pointed out that the second proposal before the Council was more liberal than Assembly resolution 606(VI) since, without requiring a separate decision by the Council and the NGO Committee in each case, it would empower the Secretary-General to invite to meetings of the General Assembly representatives of all non-governmental organizations in categories A and B. That invitation would suffice to make the Headquarters Agreement applicable to such persons who would then be freely admitted to the Headquarters District.

The representative of Iran presented an oral amendment to the French draft which would have the Secretary-General invite each such organization in category A or B to send "its" representative to public meetings of the General Assembly in regular session at which economic and social matters within its competence are discussed, thus amending the French text which referred to "a" representative. The representative of France accepted the amendment. At the 619th plenary meeting on 25 June, however, the representative of the United States presented a further oral amendment which would, in effect, restore the original wording of the French proposal.

The United States amendment was not adopted, 7 votes being cast in favour, 7 against, with 4 abstentions.

The representative of Czechoslovakia proposed orally that the operative part of the French draft should be amended to have the Council request the Secretary-General "to invite each non-governmental organization having consultative status to send representatives to attend public meetings of the General Assembly at which economic and social matters within the competence of the Council and of the organization concerned are discussed." The representative of the USSR proposed orally that the amendment by Czechoslovakia should contain a stipulation that the representative referred to in the draft might be accompanied by a reasonable number of advisers and experts. The representative of Czechoslovakia agreed to this suggestion. The Council voted first on the amendment by Czechoslovakia which would replace the words "each such organization in categories A and B" with the words "each non-governmental organization with consultative status", rejecting the proposal by 6 votes to 5, with 7 abstentions. The Council then rejected, by 10 votes to 3, with 5 abstentions, the remainder of the Czechoslovak proposal.

At its 619th plenary meeting on 25 June, the Council adopted, by 13 votes to 3, with 2 abstentions, the amended French draft resolution (455 (XIV)). By this resolution, the Council, after citing its consideration of Assembly resolution 606 (VI), requested the Secretary-General to invite each organization in categories A and B to send its representative to attend public meetings of the Assembly at which economic and social matters within its competence are discussed.

In view of the adoption of the French draft, the Council decided, by 8 votes to 4, with 5 abstentions, that it would not vote on the Polish draft.

2. Granting of Consultative Status¹⁹⁰

Twenty-eight applications or re-applications were considered and reported on by the Council Committee on Non-Governmental Organizations during its fourteenth session, at its 112th to 114th meetings, from 8 to 9 April 1952.

On the basis of a report from the Council NGO Committee (E/2201 and Add.1) on applications and re-applications for consultative relationship submitted by non-governmental organizations, the Council, at its fourteenth session,

in resolution 453 A.I (XIV), adopted at its 572nd and 573rd plenary meetings on 21 May 1952, and by resolution 453 A.II (XIV), adopted at its 586th plenary meeting on 2 June 1952, decided that the following organizations be placed in category B (voting on individual organizations is shown in parentheses below):

- Inter-American Statistical Institute (15 votes to 3)
- International Association of Juvenile Court Judges (15 votes to 3)
- International Catholic Migration Commission (15 votes to 3)
- International Commission against Forced Labour Camps (15 votes to 3)
- International Federation for the Rights of Man (15 votes to none, with 3 abstentions)
- International Federation of Settlements (14 votes to 3)
- International Islamic Economic Organization (unanimously)
- International Labour Assistance (formerly International Socialist Aid) (15 votes to 3)
- World Council for the Welfare of the Blind (15 votes to 3)

The Council, in resolution 453 A.I.2 (XIV), adopted at its 573rd plenary meeting on 21 May 1952, decided that the following organizations, at that time on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X),¹⁹¹ be transferred to category B:

- International Catholic Child Bureau (15 votes to 3)
- International Congresses for Modern Architecture (unanimously)
- World Power Conference (unanimously)
- World Veterans Federation (15 votes to 3)

The Council, at its 573rd plenary meeting on 21 May 1952, adopted resolution 453 A.I.3 (XIV) in which it requested the Secretary-General to place the following organizations on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X):

- Confederation internationale du credit populaire (subject to review at the fifteenth session) (12 votes to 3, with 2 abstentions)
- European Centre of Documentation and Compensation (15 votes to 3)
- International Federation of High Police Officers (15 votes to 3)
- International Federation of Women Lawyers (15 votes to 3)

The Council unanimously adopted resolution 453 A.I.4 (XIV), requesting the Transport and Communications Commission to advise it on the application of the International Automotive Institute for consultative status in category B. By the same resolution, the Council requested the

¹⁹⁰ For list of non-governmental organizations in consultative status with the Council as of 31 December 1952, see pp. 554-55.

¹⁹¹ See Y.U.N., 1950, pp. 658-59.

NGO Committee to reconsider this application at the fifteenth session in the light of the comments of the Transport and Communications Commission.

The Council, by 15 votes to none, with 3 abstentions, adopted resolution 453 A.I.5 (XIV), requesting the NGO Committee to reconsider the application for category B consultative status of the International Society of Social Defence at the fifteenth session.

The Council, by 13 votes to 3, with 2 abstentions, adopted resolution 453 A.I.6(a) (XIV), approving the agreement of the International Trade Secretariats to be represented through the International Confederation of Free Trade Unions, an organization in category A consultative status. It adopted unanimously part (b) of the same resolution, requesting the Council NGO Committee to review the status of the following two International Trade Secretariats, in category B consultative status, and to report thereon to the Council at the fifteenth session:

International Federation of Unions of Employees in Public and Civil Services.

International Transport Workers' Federation.

The Council adopted unanimously resolutions 453 A.I.7 and 9 (XIV), taking note that the Caritas Internationalis had been replaced on the list of organizations in category B consultative status by the International Conference of Catholic Charities and that the World Engineering Conference, an organization in category B consultative status had ceased to exist.

The Council, in resolution 453 A.I.8 (XIV), adopted unanimously, decided that the World Confederation of Organizations of the Teaching Profession shall, when it is established and subject to the receipt of its formal application, supersede the World Organization of the Teaching Profession in category B consultative status.

3. Review of Non-Governmental Organizations in Consultative Relationship

The Economic and Social Council, in pursuance of its resolution 413 B (XIII)¹⁹² reviewed the non-governmental organizations granted consultative status at its eighth and ninth sessions. At its 573rd plenary meeting on 21 May 1952, the Council, having considered the report of its Committee on Non-Governmental Organizations (E/2201), adopted, by 15 votes to 3, resolution 453 B 1. (XIV), deciding that the International Carriage and Van Union and the International

Wagon Union shall be represented by the International Union of Railways in category B consultative status. By 15 votes to none, with 3 abstentions, the Council adopted resolution 453 B 2. (XIV), in which it requested the Secretary-General to place the International Institute of Public Law and the International Temperance Union, formerly in category B, on the register of non-governmental organizations referred to in paragraph 17 of Council resolution 288 B (X).

4. Communications Containing Complaints against Governments

Pursuant to paragraph 35(g) of Council resolution 288(X) on matters affecting the consultative arrangements under Article 71 of the Charter, the Secretary-General submitted a memorandum (E/C.2/332) to the Council NGO Committee requesting guidance on the procedure to be followed in the case of written statements from non-governmental organizations in consultative status containing complaints, including complaints against governments.

The Council NGO Committee considered the memorandum at its 117th and 118th meetings on 27 June and 3 July and recommended (E/-2270) that all communications from non-governmental organizations having consultative status in category A or B alleging violation of human rights, including those complaining against governments, should be handled in accordance with the special procedure laid down in Council resolution 75(V), as amended—established for the purpose of handling such complaints—and that Council resolution 288 B (X) should also be used in addition to that procedure. The Committee made a similar recommendation with regard to complaints concerning the status of women, which it held should be handled according to the procedure set forth in Council resolution 76(V), as amended.¹⁹³

The Committee further recommended that other communications containing complaints against governments, that is, other than complaints alleging violation of human rights, should be dis-

¹⁹² See Y.U.N., 1951, p. 599.

¹⁹³ The procedures for handling complaints concerning human rights and the status of women provided, inter alia, for the compilation of confidential and non-confidential lists indicating the substance of the communication to be made available to the members of the respective commissions. See Y.U.N., 1950, p. 534 and pp. 562-3. (Written statements by NGO's were under Council resolution 288 B (X). The texts to be circulated to Council members.) See Y.U.N., 1950, pp. 658-59.

tributed only after the government concerned had been notified, and that any reply of the government concerned should, if received within six-weeks, be circulated in the same document, otherwise as an addendum.

The Committee's recommendation was considered by the Council at its 661st and 662nd plenary meetings on 28 July 1952.

During the discussion, the representative of the International Confederation of Free Trade Unions held that if, as the Committee recommended, complaints from non-governmental organizations concerning human rights were handled under resolution 75(V), no action would be taken on such complaints. She held that that resolution had never been intended to cover non-governmental organizations in consultative status, but related solely to petitions from private persons or organizations. Council resolution 288(X) on revised arrangements for consultation made no reference to resolution 75(V) and did not cite it in part C among the earlier resolutions which resolution 288 B (X) had in some respects replaced. The Committee's recommendation was indefensible from a legal standpoint and constituted one of a series of steps which were depriving the consultative non-governmental organizations of their privileges. The International Federation of Agricultural Producers fully shared these views.

Some representatives, among them those of Argentina, the USSR and Uruguay, opposed the recommendation of the Committee.

The representative of Uruguay stated that limiting the procedure to that under resolution 75(V) would be unjust, for under that resolution communications from non-governmental organizations concerning human rights could not be circulated as Council documents. The Committee's recommendation would mean that only those non-governmental organizations having representatives in New York and which could, therefore, present their views orally under rule 80 of the rules of procedure of the Council, would be able to submit complaints against governments concerning human rights; other non-governmental organizations would be in a less favourable position. The proposed solution would not encourage non-governmental organizations to continue their consultative work with the enthusiasm they had already displayed.

The representatives of Argentina and the USSR opposed the Committee's recommendations on the grounds that the Charter provided for only one category of complaints, that is, petitions relating to Trust Territories; all other complaints,

they held, should be submitted to the competent authorities of the State against which the complaint was directed. Any other procedure would be a violation of the sovereignty of States and, therefore, contrary to Article 2, paragraph 7, of the Charter.

Support for the Committee's recommendation was expressed by the representatives of Canada, the United Kingdom and the United States. The United States representative held that no distinction should be made on the basis of the source of complaints; all communications alleging violations of human rights should, therefore, be handled under Council resolution 75(V) as the Committee had recommended. In the absence of an international covenant on human rights or other legal instrument defining human rights, the Council would be unable to take action on communications alleging the violation of human rights; in these circumstances to publicize complaints by circulating them under the provisions of resolution 288 B (X) would only damage the prestige of the United Nations. The Committee's recommendation did not limit the prerogatives of the non-governmental organizations and, in fact, confirmed their right to bring complaints against governments, other than those concerning human rights, a right which previously had never been clearly established. Reference was made to paragraph 13 of Council resolution 288 B (X) which states the principle that arrangements should not be such as to overburden the Council or transform it from a body for co-ordination of policy and action, as contemplated in the Charter, into a general forum for discussion.

The representative of Argentina proposed orally that the Committee's recommendation should be clarified by the addition of a stipulation that the complaints other than those alleging violation of human rights were understood to refer to communications on "questions within the competence of the Council and of the non-governmental organizations concerned." The Argentine amendment was adopted by the Council, by 12 votes to 1, with 5 abstentions, and the Committee's recommendation, as a whole, as amended, by 11 votes to 4, with 3 abstentions, at the 662nd plenary meeting on 28 July. In terms of this resolution (454(XIV)), the Council decided that complaints charging violations of human rights should continue to be handled under Council resolution 75(V) as amended and that complaints dealing with other matters be handled under Council resolution 288 B (X), with the understanding that the Committee's recommendation on complaints, other than those alleging violation

of human rights, referred to communications on questions within the competence of the Council and of the non-governmental organizations concerned.

5. Arrangements of Regional Economic Commissions for Consultation with Non-Governmental Organizations

By resolution 414 C (XIII), adopted on 18 September 1951,¹⁹⁴ the Council made recommendations concerning consultative relations with the regional economic commissions. These recommendations concerned, among other things, procedure in respect of consultation.

Action taken by these commissions¹⁹⁵ was as follows:

Economic Commission for Europe (ECE): At its seventh session, ECE examined the desirability of revising its rules of procedure relating to consultative relations with non-governmental organizations in accordance with the principles contained in Council resolution 288(X). The Commission noted, however, that its rules of procedure, as at present applied, did conform with the spirit of the rules laid down by the Council.

Economic Commission for Asia and the Far East (ECAFE): At its eighth session, ECAFE considered that same Council resolution and decided to amend its rules of procedure regarding consultative relations with non-governmental organizations so as to bring them generally in line with the rules established by the Council for its functional commissions.

Economic Commission for Latin America (ECLA): The Committee of the Whole of ECLA took note of the resolution of the Council and postponed action on changes of the rules of procedure relating to non-governmental organizations until the fifth session of the Commission.

6. Operating Consultative Arrangements

a. HEARING OF NON-GOVERNMENTAL ORGANIZATIONS

The following organizations were heard in connexion with the subjects shown opposite their names by the Economic and Social Council at its fourteenth session under rule 82 of its rules of procedure.

International Confederation of Free Trade Unions: World economic situation; Full employment, etc.; Eco-

conomic development of under-developed countries: Methods of financing economic development; Social activities: Preliminary report on the world social situation; Report of the Commission on Human Rights (eighth session); Refugees; Programmes of technical assistance; Food and famine; Communications containing complaints against governments.

World Federation of Trade Unions: World economic situation; Full employment, etc.; Economic development of under-developed countries: Methods to increase world productivity; Migration: Report by ILO; Social activities: Preliminary report on the world social situation; Prevention of discrimination and protection of minorities; Allegations regarding infringements of trade-union rights received under Council resolution 277(X); Report of ILO.

The following organizations were heard by the Council Committee on Non-Governmental Organizations at the fourteenth session under rules 80, 81 and 82.

International Federation of Agricultural Producers: Communications containing complaints against governments.

World Federation of Trade Unions: Application of the Headquarters Agreement to representatives of non-governmental organizations; Communications concerning human rights.

Consultative Council of Jewish Organizations: Report of the Commission on Human Rights (eighth session).

Co-ordinating Board of Jewish Organizations: Report of the Commission on Human Rights (eighth session).

International Council of Women: Report of the Commission on Human Rights (eighth session); Report of the Commission on the Status of Women (sixth session); Commission on the Status of Women: General Assembly resolution 532 A (VI); Narcotic Drugs; Application of the Headquarters Agreement to representatives of non-governmental organizations.

International Federation of University Women: Commission on the Status of Women: General Assembly resolution 532 A (VI).

International League for the Rights of Man: Report of the Commission on Human Rights (eighth session).

International Union for Child Welfare: Report of the Social Commission (eighth session); Report of the Executive Board of UNICEF.

World Jewish Congress: Commercial Boycott of Jews in Saudi Arabia.

World Veterans Federation: Methods of financing economic development.

World's Young Women's Christian Association: Housing and town and country planning.

St. Joan's International Social and Political Alliance: Report of the Commission on the Status of Women (sixth session).

In addition to hearings by the Council and its commissions, the Council NGO Committee at its 114th meeting on 9 April heard a representative of the World Federation of Trade

¹⁹⁴ See Y.U.N., 1951, p. 599.

¹⁹⁵ See also under Activities of the Regional Economic Commissions.

Unions speak on "Certain administrative questions in connexion with the handling within the Secretariat of communications under Council resolution 277(X) on 'trade union rights (freedom of association).'" "

The Committee also heard briefly each of the category A organizations 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 1952, a total of 38 written statements from 21 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, the Social Commission, the Commission on the Status of Women and the regional economic commissions. In accordance with the recommendation of the Council Committee on Non-Governmental Organizations, the Secretary-General circulated a list of these documents (E/C.2/263/Add.3 and 4).

c. AGENDA ITEMS PROPOSED BY NON-GOVERNMENTAL ORGANIZATIONS

No items were placed by the Secretary-General on the provisional agenda of the Council for the fourteenth session on the proposal of non-governmental organizations in category A.

7. List of Non-Governmental Organizations in Consultative Status as of 31 December 1952

As of 31 December 1952, a total of 109 organizations in consultative status in pursuance of Article 71 of the Charter were listed. Of this number, nine are in category A and 100 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 fourteenth session are marked with an asterisk.¹⁹⁶

Category A

International Chamber of Commerce
International Confederation of Free Trade Unions¹⁹⁷

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 (United Kingdom)
Carnegie Endowment for International Peace (United States)
Catholic International Union of Social Service
Commission of the Churches on International Affairs
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
Inter-American Federation of Automobile Clubs¹⁹⁸
*Inter-American Federation 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, Trade and Crafts
*International Association of Juvenile Court Judges
International Association of Penal Law¹⁹⁹
International Automobile Federation²⁰⁰
International Bureau for the Suppression of Traffic in Women and Children
International Bureau for the Unification of Penal Law²⁰¹
*International Catholic Child Bureau
*International Catholic Migration Commission
International Catholic Press Union
*International Commission Against Forced Labour Camps

¹⁹⁶ See also pp. 550-51.

¹⁹⁷ The agreement of the International Trade Secretariats to be represented through the International Confederation of Free Trade Unions was approved by the Council.

¹⁹⁸ Consultative status in category B was granted on condition that it work out arrangements with the International Automobile Federation and the International Touring Alliance, by which they may be consulted jointly by the Council.

¹⁹⁹ To be jointly represented with the International Bureau for the Unification of Penal Law.

²⁰⁰ To be jointly represented with the International Touring Alliance.

²⁰¹ To be jointly represented with the International Association of Penal Law.

International Committee of Schools of Social Work
 International Committee of Scientific Management
 International Committee of the Red Cross
 International Conference of Catholic Charities (replaces Caritas Internationalis)
 International Conference of Social Work
 *International Congress 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-Planning
 *International Federation for the Rights of Man
 International Federation of Business and Professional Women
 International Federation of Friends of Young Women
 International Federation of Newspaper Publishers (Proprietors) and Editors
 *International Federation of Settlements
 International Federation of Unions of Employees in Public and Civil Services²⁰²
 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
 International League for the Rights of Man
 International Organization for Standardization
 International Road Federation
 International Road Transport Union
 International Shipping Federation
 International Social Service
 International Society for the Welfare of Cripples
 International Society for Criminology
 International Statistical Institute
 International Touring Alliance²⁰³
 International Transport Workers' Federation²⁰⁴
 International Union for Child Welfare
 International Union for the Protection of Nature
 International Union for the Scientific Study of Population
 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 Railways²⁰⁵
 International Union of Socialist Youth
 Liaison Committee of Women's International Organizations
 Lions International—International Association of Lions Clubs

National Association of Manufacturers (United States)
 Nouvelles équipes Internationales
 Pax Romana—International Catholic Movement for Intellectual and Cultural Affairs²⁰⁶
 Pax Romana—International Movement of Catholic Students²⁰⁶
 Permanent International Association of Navigation Congresses
 Rotary International
 Salvation Army
 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 Council for the Welfare of the Blind
 World Jewish Congress
 World Movement of Mothers
 World Organization of the Teaching Profession²⁰⁷
 *World Power Conference
 World Union for Progressive Judaism
 World Union of Catholic Women's Organizations (formerly International Union of Catholic Women's Leagues)
 *World Veterans Federation
 World's Alliance of Young Men's Christian Associations
 World's Women's Christian Temperance Union
 World's Young Women's Christian Association
 Young Christian Workers

As of 31 December 1952, an additional 113 organizations²⁰⁸ were on the Register of the Secretary-General for ad hoc consultations in accordance with resolution 288 B (X).²⁰⁹ All except one are international.

²⁰² Status to be reviewed at the fifteenth session.

²⁰³ To be jointly represented with the International Automobile Federation.

²⁰⁴ Status to be reviewed at the fifteenth session.

²⁰⁵ To represent the International Carriage and Van Union and the International Wagon Union, which were formerly in category B.

²⁰⁶ Both Pax Romana movements represented jointly.

²⁰⁷ On 1 August 1952 this organization, the International Federation of Teachers Associations, and the International Federation of Secondary Teachers formed a new organization and, accordingly, all three lost their separate identities. This new organization is called the World Confederation of Organizations of the Teaching Profession (WCOTP) and by decision of the Council supersedes the World Organization of the Teaching Profession in category B consultative status.

²⁰⁸ For list, see Official Records of the General Assembly, Seventh Session, Supplement No. 3, pp. 97-98.

²⁰⁹ See Y.U.N., 1950, pp. 658-59.

V. IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS

In accordance with the procedure adopted in its resolution 283(X),²¹⁰ the Economic and Social Council had before it at its fourteenth session the Secretary-General's report on "Implementation of Recommendations on Economic and Social Matters" (E/2166), together with the replies from governments (E/2165 and Add.1 to 44),²¹¹ to the Secretary-General's request (sent in accordance with resolution 283(X)) for information as to what governments had done to carry out the recommendations adopted by the General Assembly and the Council during 1948 and 1949.

The report (E/2166) contained an annotated list serving as an index to the replies received from 28 governments²¹² on some or all of the recommendations circulated in accordance with resolution 283(X) and also to information received from governments in other contexts. In the annotated list the resolutions were grouped under four general headings: economic questions, social questions, co-ordination questions and legal questions. A separate section was devoted to treaties, conventions and protocols, and another to recommendations involving requests for specific information.

The Secretary-General also submitted a note (E/L.403) suggesting which recommendations adopted by the Assembly and the Council during 1950 and 1951 might be included in the 1954 report on implementation.

During the discussion at the Council's 663rd plenary meeting on 29 July 1952 some members, among them the representatives of Belgium, France, the United Kingdom and the United States, expressed the opinion that, although their Governments were greatly interested in the implementation of the resolutions of the General Assembly and of the Council, the results of the procedure established under Council resolution 283(X) had fallen short of expectations. It was pointed out by the United States representative that the General Assembly and the Council had tended to adopt resolutions which required specific reports within specific time-limits, and under which the Secretary-General took steps other than under the bi-annual reporting procedure of resolution 283(X) to obtain information from governments. Replies from governments regarding such resolutions were, on the whole, more satisfactory. The representatives of the United Kingdom and the United States also alluded to the need for avoiding duplication of

effort and documentation in keeping with General Assembly resolution 593 (VI).

The United Kingdom and the United States presented a joint draft resolution (E/L.454) (see below) which was supported by the majority of the Council. The representative of the USSR, however, held that governments should be free to submit information under conditions most convenient to themselves.

The representatives of Egypt and Uruguay objected to a paragraph in the preamble to the joint draft which would note that only 28 governments had replied. They held that the criticism implied in the paragraph was unjustified since the number of replies was not discouraging. The sponsors of the draft resolution agreed to the deletion of this paragraph and, at the suggestion of the Swedish representative, also to the deletion of the second operative paragraph recommending that the Assembly adopt procedures similar to those recommended in the draft for adoption by the Council. The representative of Sweden pointed out that the Assembly had already decided to reconsider its own procedure for formulating resolutions.

The draft resolution, as thus amended, and with certain other drafting amendments was adopted by the Council by paragraph-by-paragraph votes, varying from 11 to 5, with 2 abstentions, to 15 to 3. The amended draft resolution, as a whole, was adopted by 14 votes to 3, with 1 abstention, as resolution 450 (XIV). It read:

"The Economic and Social Council,

"Having reviewed the report by the Secretary-General on 'Implementation of Recommendations on Economic and Social Matters' (E/2166), together with the replies from governments contained in documents E/2165 and E/2165/Add.1 to 44,

"Noting that the General Assembly and the Council have shown an increasing tendency to adopt resolutions which require specific reports within specified time-

²¹⁰ See Y.U.N., 1950, pp. 668-72.

²¹¹ During 1952 supplementary information was also received from Greece (E/2165/Add.45), Guatemala (E/2156/Add.46) and Egypt (E/2156/Add.47).

²¹² Australia, Belgium, Bolivia, Brazil, Canada, China, Colombia, Denmark, Egypt, France, Greece, Guatemala, India, Israel, Luxembourg, Netherlands, New Zealand, Norway, Philippines, Poland, Sweden, Turkey, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia. A reply was subsequently received from Haiti (E/2165/Add.39) later in 1952.

limits and that the record of replies to such resolutions is satisfactory,

"Desiring to avoid, in keeping with resolution 593 (VI) of the General Assembly, duplication of effort and documentation both on the part of governments and the Secretary-General,

"1. Decides to include in the future wherever practicable, in its resolutions specific indications of the timing of the report expected from governments in implementation of the resolutions concerned;

"2. Decides to include each year in its annual report to the General Assembly information regarding replies received from governments on implementation of recommendations of the General Assembly and the Council on economic and social matters;

"3. Decides that, as may be appropriate in the course of its work, it will consider the desirability of reviewing the implementation of such recommendations relating to a particular field, or fields, of its activities;

"4. Decides to discontinue the application of paragraphs 12-19, 22, 23 and 25,²¹³ of the annex to resolution 283 (X) of the Council."

²¹³These provisions concerned the time-table, the procedure for requesting information and the form of the Secretary-General's report, consideration by the Council of recommendations to be circulated, the establishment of an ad hoc committee, and resolutions requiring further attention. For text see Official Records of the Economic and Social Council, Fifth Year, Tenth Session, Supplement No. 1.

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)¹ of 3 November 1948, Members responsible for the administration of Non-Self-Governing Territories transmitted during 1952 information under Article 73e of the Charter² with respect to the following Non-Self-Governing Territories:

Australia
Papua

Belgium
Belgian Congo

Denmark
Greenland

France
Comoro Archipelago
French Somaliland
French Equatorial Africa
French West Africa
Madagascar
Morocco
New Hebrides (under Anglo-French Condominium)
Tunisia

Netherlands
Netherlands New Guinea

New Zealand
Cook Islands
Niue Islands
Tokelau Islands

United Kingdom
Aden Colony and Protectorate
Bahamas
Barbados
Basutoland
Bechuanaland Protectorate
Bermuda
British Guiana
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

Hong Kong
Jamaica
Kenya Colony and Protectorate
Leeward Islands Colony
Malaya, Federation of
Mauritius
New Hebrides (Anglo-French Condominium)
Nigeria
North Borneo
Northern Rhodesia
Nyasaland Protectorate
Pitcairn Island
St. Helena
Sarawak
Seychelles
Sierra Leone Colony and Protectorate
Singapore
Swaziland
Trinidad and Tobago
Uganda Protectorate
Windward Islands
Zanzibar Protectorate

United States
Alaska
American Samoa
Guam
Hawaii
Puerto Rico
Virgin Islands

On the basis of information transmitted during 1952, the Secretary-General, in accordance with Assembly resolution 218(III),³ prepared a number of summaries and analyses (A/2128 and Corr.1; A/2129 and Add.1; A/2130; A/2131 and Add.1 and 2 and Add.2/Corr.1; A/2132 and Corr.1 and Add.1; A/2133; A/2134 and Add.1 and Add.2 and Add.2/Corr.1 and Add.3-5, Add.6 and Corr.1, and Add. 7-9; and A/2135 and Add.1 and 3).⁴

¹ See Y.U.N., 1948-49, p. 722.

² For Charter provisions, see pp. 16-17.

³ See Y.U.N., 1948-49, p. 722.

⁴ 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 1952 (the 1952 "Green Book").

These summaries and analyses were considered by the sixteen-member Committee on Information from Non-Self-Governing Territories set up for this purpose by Assembly resolution 332(IV)⁵ of 2 December 1949. The Committee held 21 meetings, from 11 September to 11 October. In accordance with Assembly resolutions 333(IV) and 565(VI),⁶ special attention was paid to social conditions in Non-Self-Governing Territories, and a special section of the Committee's report to the General Assembly (A/2219) was devoted to this subject. The report was considered by the Fourth Committee at its 251st to 260th meetings, from 21 to 31 October, and by the General Assembly at its 402nd plenary meeting on 10 December. The consideration of particular aspects is dealt with below under subject headings.

1. Territories to which Chapter XI of the Charter Applies

In the Committee on Information from Non-Self-Governing Territories and in the General Assembly, reservations were expressed by certain delegations, in particular regarding individual territories concerning which information had been transmitted.

In the Committee the representative of Ecuador reserved the position of his delegation with regard to the Territories which came under Article 73e and in particular with regard to those in the American Continent on which the Netherlands Government had decided not to transmit any further information.

Arising from the fact that information had been transmitted by the Netherlands on Netherlands New Guinea (Irian), formal reservations on behalf of their respective Governments regarding this territory were made in the Committee on Information by the representatives of Indonesia and the Netherlands. Similar statements were made by both representatives during the general debate in the Fourth Committee, when reservations were also made in regard to sovereignty over British Honduras (Belize Territory) by the representatives of Guatemala and the United Kingdom; over Aden by the representatives of Yemen and the United Kingdom; and over the Falkland Islands (Islas Malvinas) by the representatives of Argentina and the United Kingdom. The representative of Mexico stated that in the view of his Government the transmission of information on a Non-Self-Governing Territory by the responsible State did not affect the rights of sovereignty over that Territory which might

be claimed by any other State which regarded itself in a position to do so.

Formal declarations were also made by the representatives of Lebanon, Iraq 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 States, which were bound only by treaty obligations to France. A statement reserving the position of his Government in regard to the consideration of the question of Morocco and Tunisia was made by the representative of France.

At the 402nd plenary meeting of the General Assembly on 10 December, the representative of El Salvador, speaking on behalf of his own Government and those of Honduras, Nicaragua and Costa Rica, expressed sympathy with the reservation made in the Fourth Committee by Guatemala concerning Belize Territory, taking into consideration the fact that that problem directly concerned the geographical unity of Central America.

Diverging opinions were also expressed regarding the interpretation of Article 73e and on the competence of the General Assembly to decide as to the Territories on which information should be transmitted.

The representative of the USSR pointed out that Chapter XI of the Charter placed obligations upon countries responsible for the administration of Non-Self-Governing Territories. The list of Territories in respect of which these obligations existed had been approved by the General Assembly at its first session and could be changed only by the Assembly itself; the Administering Powers could not decide unilaterally whether information should or should not be transmitted in respect of those Territories. The representative of Egypt disagreed with the interpretation that a decision to cease transmission of information lay solely with the Administering Authority and referred to General Assembly resolution 334(IV), in which the Assembly considered that it was within its responsibility to express its opinion on the principles which had guided or might in the future guide the Members concerned in enumerating those Territories.

The representatives of Australia, Belgium, Denmark, France and the United Kingdom, on the other hand, asserted that such decisions rested solely with the Administering Powers concerned; that Assembly resolution 66(I), which enumerated Territories falling within Chapter XI of the Charter, merely listed the Territories as

⁵ See Y.U.N., 1948-49, pp. 751-52.

⁶ See Y.U.N., 1951, pp. 629-30.

enumerated by the Administering Powers; that the information transmitted was, in the words of Article 73e, "for information purposes"; and that the Committee on Information from Non-Self-Governing Territories, though it could make substantive recommendations relating to functional fields generally, could not do so in respect of individual Territories. These representatives also asserted that they were faithfully carrying out their obligations under the Charter. They suggested, further, that a comparison might be made between conditions in Non-Self-Governing Territories and those in neighbouring territories or territories with similar problems, but this was not considered by the representatives of China, Guatemala, Haiti, India and Saudi Arabia to be a useful measure.

The representative of Belgium stated that a responsibility to transmit information fell upon all States administering populations which had not attained the same degree of civilization as themselves, whether or not these States were among the so-called Administering Powers. Many backward indigenous peoples did not enjoy the international guarantees to which they were entitled under the Charter, because the Powers administering them refused to admit their obligations at the level of the United Nations and continued to refrain from transmitting the information called for under the provisions of Chapter XI.

The representatives of Bolivia, Brazil, Burma, Cuba, Ecuador, Egypt, Ethiopia, El Salvador, Guatemala, Honduras, India, Indonesia, Iraq, Liberia, Mexico, Peru, the Philippines, Syria and Venezuela rejected this interpretation of Chapter XI as a distortion of its real meaning. They pointed out that by its title Chapter XI referred to "Non-Self-Governing Territories" and not to peoples in independent sovereign States who enjoyed full rights as nationals of such States. The indigenous inhabitants in dependent Territories did not always enjoy the same rights and protections as nationals of the Metropolitan countries and for this reason their welfare and advancement to self-government had been accepted as an international concern. The representative of the Dominican Republic felt that a study should be made of the legal implications of Chapter XI, in view of the conflicting interpretations placed on it.

a. FACTORS TO BE TAKEN INTO ACCOUNT IN DECIDING IF A TERRITORY IS SELF-GOVERNING

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),⁷ the Assembly noted the cessation of transmission of information under Article 73e in respect of certain of these Territories, and called for an examination 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),⁸ adopted on 18 January 1952, the Assembly stated that it had examined a report by the Special Committee on Information from Non-Self-Governing Territories and considered that a further study should be undertaken. It appointed a ten-member Ad Hoc Committee on Factors (Non-Self-Governing Territories), comprising Australia, Belgium, Burma, Cuba, Denmark, France, Guatemala, Iraq, the United States and Venezuela, to undertake that study.

The Committee held six meetings from 4 to 9 September 1952. Its report (A/2178) to the General Assembly contained a list of recommended factors (see below).

(1) Consideration by the General Assembly at its Seventh Session

The report was considered by the Fourth Committee at its 271st to 279th meetings from 12 to 19 November and by the General Assembly at its 402nd plenary meeting on 10 December.

Introducing the report, the representative of Iraq, chairman of the Ad Hoc Committee, stated that the work of the Committee had been governed by certain general considerations. First, it had been agreed that the Committee was concerned only with Non-Self-Governing Territories as covered by Chapter XI of the Charter. Second, the Committee had decided that the question of what authority should determine that a territory had reached a stage of self-government where it fell outside the scope of Article 73e of the Charter was not within its competence. Third, it had been agreed to refer to the Assembly the question of the extent to which Article 73e continued to apply in the case of territories which had become neither independent nor fully integrated within another State but which had already attained a full measure of self-government in their internal affairs.

The representative of Iraq emphasized that the most important statement made by the Committee was that no enumeration of factors could do more than serve as a guide in determining whether a territory was or was not fully self-governing. Each specific case would have to be determined

⁷ See Y.U.N., 1948-49, p. 732.

⁸ See Y.U.N., 1951, pp. 608-10.

by its particular circumstances. Resolution 567(VI) had underlined that principle by stressing that such a list of factors could not be regarded as exhaustive or definitive.

The Committee, he said, had produced a revised list of factors, but the same two general categories (see below) had been maintained. His Government had suggested that a new factor, relating to the question of armed forces, should be added to the list; but as this suggestion raised the difficult questions of security, which were beyond the terms of the Committee's work, it had been agreed to include a broad reference to the question of responsibility for national defence, and to record in the report the text submitted by Iraq.

Although the majority of representatives expressed appreciation of the work of the Committee, many made reservations in respect of the Committee's report and the list of factors it contained.

The representatives of Australia, Belgium, Canada, France, the Netherlands, the United Kingdom and the United States, on the one hand, stressed that general criteria such as those enumerated in the report could not be uniformly applied to the 60 Territories on which information was to be supplied. These representatives, and the representatives of Belgium and the Union of South Africa, also emphasized that the decision whether or not to transmit information lay with the Administering Powers concerned; that direct control could not be exercised by the United Nations. They felt that the report lacked definition of some of the concepts with which it was concerned and that the study was not sufficiently exhaustive. The representatives of Australia, France and the United States drew attention, in particular, to what they regarded as the distinction between independence and self-government.

The representatives of Poland, the USSR and Yugoslavia, on the other hand, emphasized the need to recognize the right to self-determination and felt that the list of factors should take into account the freely expressed will of the peoples concerned.

The representatives of Bolivia, Brazil, Burma, Cuba, Egypt, El Salvador, Guatemala, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria and Venezuela, among others, maintained that the obligations assumed under Chapter XI of the Charter were as binding as those under other Chapters of the Charter and arose from a multilateral agreement concluded by the Administering Pow-

ers with other signatories of the Charter. The decision as to whether a Territory had become fully self-governing could not unilaterally be decided by Administering Powers; the international community was also concerned and therefore it was important to determine what factors must be taken into account. Although all these representatives did not necessarily approve the list completely, they felt that it would serve as a guide. They emphasized that "a full measure of self-government" as envisaged in Chapter XI of the Charter meant essentially political self-government and could not be limited to self-government only in the economic, social or educational spheres.

The representatives of Cuba and Venezuela, supported by the representative of Indonesia, added that Chapter XI gave the inhabitants of Non-Self-Governing Territories an assurance that their aspirations could be achieved by peaceful measures. Moreover, international peace and security could not be adequately safeguarded if the problems of the dependent peoples were neglected.

Although they agreed that the Assembly was fully competent to decide whether a territory was self-governing, the representatives of the Dominican Republic, Peru and Uruguay felt that criteria of self-government were difficult to establish and define; that there were still legal doubts on the matter of constitutionality; and that further study was needed.

The representatives of Israel, India and Liberia, noting the opposing views, urged a compromise solution. The representative of Israel said that any resolution adopted by a majority which did not include even a single Administering Power would not solve the difficulty.

The representatives of Egypt and Honduras stressed that the people concerned had a right to decide whether or not they had achieved a measure of self-government.

(2) Resolution Adopted by the General Assembly at its Seventh Session

At its 278th meeting on 18 November, the Committee voted on the following draft resolution and amendments submitted during the debate:

(1) A joint draft resolution by Burma, Cuba, Egypt, Guatemala, Iraq and Venezuela (A/C.4/L.231 and Corr.1), in terms of which the Assembly would:

- (a) approve as a guide the list of factors;
- (b) recognize that each case should be considered in the light of its particular circumstances;

(c) declare that the factors should in no way be interpreted as a hindrance to the attainment of a full measure of self-government;

(d) further declare 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; and

(e) recommend that the factors contained in the list should be taken into account in any case examined by the Assembly concerning the cessation of transmission of information, or in relation to other questions concerning an obligation to transmit information.

In a series of 24 separate votes—ten of which were by roll-call—varying from 55 to none with no abstentions, to 19 to 11, with 25 abstentions, the Committee adopted the draft resolution. In its final form, it incorporated amendments by Argentina, the Dominican Republic, Ecuador, Iraq, the Netherlands, Peru, Poland and the USSR (see below).

(2) An amendment by the USSR (A/C.4/L.233) to the six-Power draft. Referring to the preamble, in which reference was made to General Assembly resolution 222(III) stating that it was essential for the United Nations to be informed of any change that may take place in the constitutional status of a Non-Self-Governing Territory, the Soviet amendment would add that such information should be transmitted within six months. The information, the amendment further stated, should include the constitution, legislative Act or executive order providing for the government of the Territory and the constitutional relationship of the Territory to the Metropolitan country (adopted by a roll-call vote of 19 to 11, with 25 abstentions).

(3) An amendment by Poland (A/C.4/L.235) to add a specific reference to the right of self-determination (adopted by a roll-call vote of 39 to 7, with 9 abstentions).

(4) A joint amendment by the Dominican Republic and Peru, (A/C.4/L.234 and Corr.1) which would:

(a) delete from the preamble a statement that the obligation to transmit information remained in force until such time as the objectives of Chapter XI of the Charter are fulfilled (by a roll-call vote of 36 to 8, with 11 abstentions, the Committee decided to retain the statement as part of the preamble);

(b) add a reference in the preamble to resolution 567(VI) (see above) of the General Assembly (adopted by 36 votes to none, with 16 abstentions);

(c) commend the report of the Ad Hoc Committee as a valuable contribution to the exhaustive study of factors (this part of the joint amendment was later withdrawn);

(d) decide to set up a new ten-member Ad Hoc Committee to carry out a more thorough study of factors (adopted by 32 votes to 6, with 15 abstentions);

(e) invite such committee to consider not only the current list of factors but also the possibility of defining "self-government", the features guaranteeing the principle of self-determination and the manifestation of the freely expressed will of the people in relation to the determination of their national status (adopted, as a whole, by 42 votes to none, with 12 abstentions); and

(f) request that the new Ad Hoc Committee be convened two weeks before the opening of the 1953 session of the Committee on Information from Non-Self-Governing Territories (adopted, after acceptance by the sponsors of an oral amendment by Iraq (see below), by 39 votes to none, with 13 abstentions).

All the amendments by the Dominican Republic and Peru were proposed as substitute provisions for the entire operative part of the six-Power draft, but the Committee decided to vote on them as additional paragraphs to that draft.

(5) Two amendments by Argentina (A/C.4/L.237 and 238) to the joint amendment by the Dominican Republic and Peru, which would:

(a) maintain the original paragraphs of the preamble in the joint draft resolution (A C.4 L.231 and Corr.1) and add—instead of substitute—the provisions of the amendment by the Dominican Republic and Peru (A/C.4/L.234 and Corr.1) to the six-Power draft (by its agreement to give precedence in voting procedure to this proposal, the Committee thus made the six-Power draft the basis of its decisions, and the individual provisions of the joint amendment by the Dominican Republic and Peru were voted on as additions to the six-Power draft);

(b) stipulate that the approval of the list of factors was made provisionally (A/C.4/L.238) (adopted by a roll-call vote of 23 to 4, with 28 abstentions).

(6) An amendment by the Netherlands (A/C.4/L.236) to the joint amendment by the Dominican Republic and Peru, which would:

(a) invite Member Governments to transmit, by 1 May 1953, their views on the subjects contained in the terms of reference of the proposed new committee accepted by the sponsors; and

(b) request this committee to take into account the statements on the subject of factors transmitted earlier by certain Governments in compliance with Assembly resolution 567(VI) (adopted by 25 votes to none, with 27 abstentions).

(7) An amendment by Ecuador (A/C.4/L.239) to the joint amendment by the Dominican Republic and Peru, which would have the reference to the possibility of defining the concept of self-government relate specifically to "the purposes of Chapter XI of the Charter" (adopted by 14 votes to none, with 35 abstentions).

(8) An oral amendment by Iraq to the joint amendment by the Dominican Republic and Peru, which would have the proposed new committee convene not later than four weeks (instead of two weeks) before the 1953 session of the Committee on Information from Non-Self-Governing Territories (accepted by the sponsors).

The joint draft resolution as a whole, as amended, was adopted by a roll-call vote of 34 to 12, with 8 abstentions.

At its 296th meeting on 8 December, the Fourth Committee approved the nomination by the Chairman of the following as members of the proposed Ad Hoc Committee: Australia, Belgium, Burma, Cuba, Guatemala, Iraq, Netherlands, United Kingdom, United States and Venezuela.

Membership of the Committee was confirmed by the General Assembly at its 402nd plenary meeting on 10 December 1952.

At this plenary meeting the draft resolution recommended by the Fourth Committee (A/2296) was adopted without discussion by the Assembly by a roll-call vote of 36 to 15, with 7 abstentions, as resolution 648 (VII). Voting was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Byelorussian SSR, Chile, China, Cuba, Czechoslovakia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Liberia, Mexico, Nicaragua, Pakistan, Panama, Philippines, Poland, Saudi Arabia, Syria, Thailand, Ukrainian SSR, USSR, Venezuela, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, Denmark, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States.

Abstaining: Costa Rica, Dominican Republic, Greece, Israel, Paraguay, Peru, Uruguay.

The resolution read:

"The General Assembly,

"Taking into account the obligation to transmit information, accepted in virtue of Article 73 e of the Charter, by the Members which have or assume responsibilities for the administration of Territories whose peoples have not yet attained a full measure of self-government,

"Taking into account that this obligation remains in force with regard to each Territory until such time as the objectives of Chapter XI of the Charter are fulfilled,

"Taking into account the statement contained in resolution 222 (III), adopted by the General Assembly on 3 November 1948, to the effect that it is essential for the United Nations to be informed of any change that may take place in the constitutional status of any Non-Self-Governing Territory, and that, not later than six months after the submission of the aforesaid information, such information as may be required in such cases should be communicated, including information about the constitution, legislative acts or executive orders regarding the government of the Territory as well as about the constitutional relationship of the Territory to the government of the metropolitan country,

"Having examined the report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories),

"Recognizing that, in deciding whether a Territory has or has not attained a full measure of self-government, an enumeration of factors would be a useful guide both for the General Assembly and for the Administering Member concerned,

"Having regard to its resolution 567 (VI) of 18 January 1952,

"1. Approves provisionally the annexed list of factors which may serve as a guide, both for the General Assembly and for the Members of the United Nations which have or assume responsibilities for the adminis-

tration of Non-Self-Governing Territories, in deciding whether a Territory has or has not attained a full measure of self-government;

"2. Recognizes that each concrete case should be considered and decided in the light of the particular circumstances of that case and taking into account the right of self-determination of peoples;

"3. Declares that the factors, while serving as a guide in determining whether the obligations as set forth in Article 73 e of the Charter still 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;

"4. Further declares 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;

"5. Recommends that, provisionally, the annexed list of factors should be taken into account in any case which the General Assembly examines resulting from any communication received by the Secretary-General in virtue of General Assembly resolution 222 (III) concerning the cessation of the transmission of information under Article 73 e of the Charter, or in relation to other questions that may arise concerning the existence of an obligation to transmit information under this Article;

"6. Decides to set up a new Ad Hoc Committee of ten Members, consisting of Australia, Belgium, Burma, Cuba, Guatemala, Iraq, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela, with instructions to continue and carry out a more thorough study of the factors which will have to be taken into account in deciding whether a Territory has or has not attained a full measure of self-government;

"7. Invites the said Committee to take into account, inter alia, the list of factors prepared in 1952 by the Ad Hoc Committee set up under General Assembly resolution 567 (VI) and the statements transmitted by governments in compliance with the aforementioned resolution and, further, to take into account the following additional elements:

"(a) The possibility of defining the concept of a full measure of self-government for the purposes of Chapter XI of the Charter;

"(b) The features guaranteeing the principle of the self-determination of peoples in relation to Chapter XI of the Charter;

"(c) The manifestation of the freely expressed will of the peoples in relation to the determination of their national and international status for the purposes of Chapter XI of the Charter;

"8. Invites all Members of the United Nations to transmit in writing to the Secretary-General, by 1 May 1953, a statement of the views of their governments on the subjects contained in the terms of reference of the Committee;

"9. Requests the Secretary-General to convene the Ad Hoc Committee so that it may begin its work not later than four weeks before the opening of the 1953 session of the Committee on Information from Non-Self-Governing Territories."

ANNEX

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. Freedom of the territory to enter into arrangements concerning 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. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. 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.

3. Voluntary limitation of sovereignty. 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.

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.

2. 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.

Factors indicative of the free association of a territory with other component parts of the metropolitan or other country

A. General

1. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the territory with due knowledge.

2. Opinion of the population. The opinion of the population of the territory, freely expressed by informed

* 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?

and democratic processes, as to the status or change in status which they desire.

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.

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. Constitutional considerations. Association (a) by virtue of the constitution of the metropolitan country; or (b) 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. Citizenship. Citizenship without discrimination on the same basis as other inhabitants.

3. 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 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.

b, CESSATION OF TRANSMISSION OF INFORMATION UNDER ARTICLE 73e OF THE CHARTER

At its 304th meeting on 12 December 1952, the Fourth Committee discussed the question of the cessation of the transmission of information under Article 73e of the Charter in respect of the Netherlands Antilles and Surinam.

The Committee had before it a communication addressed to the Secretary-General from the Netherlands delegation (A/2177). The communica-

tion, among other things, stated that, in view of the latest constitutional changes, granting a full measure of self-government in all internal matters to these territories, 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.

By the same communication, the Netherlands delegation transmitted copies of an Explanatory Note of the Netherlands Government on the termination of the transmission of information, together with copies of the Interim Order and Constitution of the two territories and copies of the principal relevant articles of the Netherlands Constitution (A/C.4/200).

Guatemala submitted a draft resolution (A/C.4/L.254) which, in effect, would postpone until the next session of the General Assembly the consideration of the agenda item.

The Guatemalan draft stated that the decision would be taken bearing in mind the importance of the item and the information by the Netherlands, as well as the short time remaining for the conclusion of the work of the current Assembly session.

The proposal would also have the Assembly decide that the newly constituted Committee on Factors should examine carefully any documents submitted by the Netherlands Government relating to the territories in the light of the resolution on factors adopted at the Assembly's current session, and report to the Assembly at its next session.

The representative of the Netherlands stated that although he would prefer a definite settlement of the item in the form of a resolution taking note of the communication by his Government, his delegation readily understood that

** 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 Assembly required more time than was currently as its disposal. Moreover, as the Assembly also wished to give further study to the question of factors at the next session, he would be prepared to accept postponement.

Further, the Round Table Conference on the definitive Statute of the Kingdom of the Netherlands would probably be convened before the next Assembly session.

In the case of the Netherlands Antilles and Surinam, the representative of the Netherlands added, full measure of self-government was granted under the Interim Law, one of the results of the 1948 Round Table Conference between the Government of the Netherlands, Surinam and the Netherlands Antilles.

Support for the Guatemalan draft was expressed by the representatives of Canada, the Dominican Republic, Iraq and Yugoslavia.

The representatives of Australia, Belgium, Denmark, New Zealand, the Union of South Africa, the United Kingdom and the United States declared that they saw no need for further examination of the documents submitted by the Netherlands Government in the light of the resolution on factors adopted by the General Assembly or of any other resolution.

The Guatemalan draft resolution was adopted by the Committee (A/2331) by 29 votes to none, with 13 abstentions, and by the General Assembly, without discussion, at its 409th plenary meeting on 20 December 1952, by 55 votes to none, with 4 abstentions, as resolution 650(VII). It read:

"The General Assembly,

"Bearing in mind the importance of the question of cessation of the transmission of information and the information supplied on that subject by the Netherlands Government, and in view of the short time remaining for the conclusion of the work of the seventh session,

"Decides that 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, should examine carefully the documents submitted by the Netherlands Government relating to the Netherlands Antilles and Surinam in the light of the resolution on factors adopted by the General Assembly, and report to the Assembly at its next regular session."

2. Conditions, Development and Policies in Non-Self-Governing Territories

a. ECONOMIC CONDITIONS

In accordance with Assembly resolution 333 (IV) of 2 December 1949, the Committee at its

first session in 1950, had paid special attention to education and, in 1951, to economic conditions and problems of development in the Non-Self-Governing Territories. In resolution 564(VI)⁹ of 18 January 1952, the General Assembly approved the special report on economic conditions (A/1836) presented by the Committee on Information from Non-Self-Governing Territories as a brief but considered indication of economic conditions in the Non-Self-Governing Territories. By the same resolution, it invited the Secretary-General to communicate the report to Administering Members, to the Economic and Social Council, to the Trusteeship Council and to the specialized agencies concerned.

At its third session, from 11 September to 7 October 1952, the Committee on Information from Non-Self-Governing Territories considered questions arising out of the special report, as well as statistical summaries of agricultural and industrial production, prepared by the Secretary-General (A/AC.35/L.102 and A/AC.35/L.109).

The Committee discussed economic conditions in Non-Self-Governing Territories at its meetings from 12 to 16 September.

Referring to questions arising out of the special report, the representatives of Egypt, India, Indonesia and Pakistan, supported by those of Brazil and Ecuador, emphasized that the Committee should be informed by the Administering Members of the action and progress achieved in the Non-Self-Governing Territories in the light of General Assembly resolutions and the recommendations in the special reports of the Committee.

The representatives of Australia, France, New Zealand, the United Kingdom and the United States considered that the administration of Non-Self-Governing Territories was the responsibility solely of the Administering Powers. The recommendations contained in General Assembly resolutions and the general principles enunciated in the special reports of the Committee could serve as useful guides to possible solutions for particular problems. The progress achieved in the functional fields and the extent to which account was taken of such resolutions and recommendations were reflected in the information transmitted regularly under Article 73e of the Charter.

The representative of the USSR stated that although the information transmitted was inadequate, the facts led to the inevitable conclusion that conditions in the Non-Self-Governing Territories were highly unsatisfactory and characterized by economic exploitation and low stand-

⁹ See Y.U.N., 1951, p. 623.

ards of living. He criticized the fiscal and trade policies of Administering Members and claimed that the wealth of these territories was being drained for the benefit of the metropolitan countries.

The representatives of France, the United Kingdom and the United States replied that the charges by the USSR were unfounded.

Information was requested by the representatives of Egypt, India and Indonesia on several aspects of economic development as shown by the general policies of the Metropolitan countries and in the internal conditions of some of the Territories. The representative of Egypt asked whether there were not indications that the economic development of the Non-Self-Governing Territories had suffered as a result of defence programmes and of currency policies. The representative of Indonesia thought it difficult to judge how far economic progress had really bettered the position of the indigenous inhabitants and felt that more information was required on the participation of the peoples of the Territories in new economic enterprises. The representative of India considered it important to note the disequilibrium which had resulted in certain Non-Self-Governing Territories from restrictions on imports from areas other than the sterling area.

In reply, the Administering Members gave further details of economic progress made in their Territories; some Members provided information showing that contrary to the allegations that the Non-Self-Governing Territories had been exploited by the Metropolitan governments, substantial economic assistance had been provided. Moreover, the Committee, in its report on economic conditions, had recognized that: "By various means considerable sums of money have been made available to the Non-Self-Governing Territories through a policy of planned investment—i.e., by direct grants from metropolitan countries, by loans on the local, metropolitan or international market or by other forms of controlled investment."

The General Assembly did not consider separately the question of economic conditions in the Non-Self-Governing Territories, although many representatives emphasized the importance of accelerating economic development to raise the standard of living of the peoples in the Non-Self-Governing Territories.

b, SOCIAL CONDITIONS

In accordance with a decision of the Committee in 1951, which was approved by the Assembly

in resolution 565 (VI), special attention was given at the Committee's third session to basic social conditions in Non-Self-Governing Territories.

The Secretary-General had prepared analyses of information on aspects of social conditions in the Non-Self-Governing Territories and these analyses, together with documents dealing with subjects within their respective fields submitted by ILO and WHO, were presented to the Committee as follows:

Secretariat studies on general policies and major problems of social development (A/AC.35/L.94), race relations (A/AC.35/L.87),¹⁰ human rights (A/AC.35/L.97, A/2132/Add.1, A/2134/Add.1), public health administration (A/AC.35/L.89), problems of vital statistics (A/AC.35/L.82 and Add.1), family and child welfare benefits (A/AC.35/L.98), urban welfare (A/AC.35/L.100), social aspects of peasant settlement (A/AC.35/L.101), statistics on wages, cost-of-living indices and the development of trade unions (A/AC.35/L.105) and standards of living (A/AC.35/L.91 and Add.1); ILO studies on migrant labour (A/AC.35/L.107), workers' housing problems (A/AC.35/L.106) and wages and labour productivity (A/AC.35/L.108); a summary of UNESCO activities in the social sciences field (A/AC.35/L.93); and WHO studies on problems and trends in public health (A/AC.35/L.84), epidemic diseases (A/AC.35/L.88) and medical research (A/AC.35/L.90).¹¹

From 16 to 26 September, the Committee on Information from Non-Self-Governing Territories discussed basic social conditions in Non-Self-Governing Territories and the policies and programmes followed by Administering Members. It also discussed in detail problems of public health, rights of women, race relations, community development, family and child welfare, migrant labour, general labour conditions and policies, and standards of living. During the discussion, statements were made by the representatives of Australia, Belgium, Brazil, Cuba, Denmark, Egypt, France, India, Indonesia, the Netherlands, New Zealand, Pakistan, the USSR, the United Kingdom and the United States. The representatives of Brazil, Cuba, Egypt, India, Indonesia and Pakistan expressed some criticism concerning specific conditions in the Non-Self-Governing Territories, and replies to criticisms and to requests for further information were given by the representatives of Australia, Belgium, France, New

¹⁰ For discussions of the question of racial discrimination, see below, Section f.

¹¹ For a detailed list of documents before the Committee, see A/2219 and A/AC.35/INF.5/Rev.1.

Zealand, the United Kingdom and the United States.

The majority of representatives stressed the interdependence of economic development and social progress, and it was pointed out that while economic development itself brought problems of a social character, it was not possible to finance social services without the development of the territorial resources, particularly agricultural production. The representative of Egypt, among others, while appreciating the efforts made by Administering Members, expressed the view that opinions differed as to whether efforts made by Metropolitan countries in giving outside assistance to their Territories were not counterbalanced by the advantages which were derived from the territories. Members of the Committee generally felt that increased international assistance should be made available to help the peoples of Non-Self-Governing Territories achieve a higher standard of living.

On 19 September, the Committee on Information from Non-Self-Governing Territories established a sub-committee consisting of Egypt, France, India (chairman), Indonesia, Netherlands and the United Kingdom, with broad terms of reference to prepare a special report on social conditions in the Non-Self-Governing Territories.

The Sub-Committee's report (A/AC.35/L.111) was considered by the Committee on 3 October.

The representative of the USSR criticized the whole trend of the report as not presenting an accurate picture of the social conditions existing in the Non-Self-Governing Territories. He claimed that the policies of the Administering Members in social and other matters were subordinated, not to the interests of the indigenous populations, but to the political and economic interests of the Metropolitan countries.

With some amendments, the Committee on Information from Non-Self-Governing Territories approved, by 11 votes to 1, with 2 abstentions, the report of the Sub-Committee. The report (A/2219, part II), as presented to the General Assembly, complemented the reports of 1950 (A/1303/Add.1) and 1951 (A/1836) and together, the Committee on Information from Non-Self-Governing Territories reported, these reports represented the considered views of the Committee on economic, social and educational problems as based on information transmitted by Members responsible for the administration of the Territories, supplemental information placed at the disposal of the Secretariat by Members concerned, and the discussions which had taken place in the Committee.

In the report on social conditions, the Committee stated that the living conditions of many of the inhabitants of Non-Self-Governing Territories, despite the efforts of the Administering Members, were urgently in need of improvement. An indispensable condition for raising standards of living, it stated, was increased production, which was in turn dependent on a sufficiency of healthy and competent workers, forming part of communities providing adequate social satisfactions. Failure to appreciate the social implications of economic development might, therefore, make such development impossible.

Health was the first basic problem. While much had been done to provide public health organizations, to combat epidemic and endemic diseases and to reduce infant mortality, the general results in improving health conditions and extending services to the majority of the peoples were admittedly insufficient. The Committee considered that better nutrition, more adequate sanitation, as well as housing and health education were of primary importance in raising the level of health. An essential principle which it felt should govern health planning was the co-ordination of health and economic and social policy, both through the influence of health considerations on economic planning and on education, and through the understanding of economic, social and psychological considerations by public health officers. The Committee suggested that the Secretariat and WHO should continue to study the information provided by the Administering Members in order to assist in planning public health programmes and to indicate ways of co-ordinating these programmes with general policies of economic and social development.

Apart from long-standing problems of ill-health and poverty, it was noted, programmes of social advancement had to overcome problems of social adjustment emerging with economic change, which had tended in general to disrupt established forms of social organization. While noting a substantial expansion in the social welfare services in some Territories, the Committee suggested that further developments were required. The services provided varied considerably due to the different traditions of the Administering Members and to the difference in local needs. Social services, especially in areas of recent urban growth, were mainly curative—designed to meet the more urgent needs for public utilities, housing, public health and education. In the more recent programmes, however, the Committee found a commendable tendency to seek popular collaboration in preventive measures with the long term ob-

jective of fostering the growth of a community consciousness and responsibility. It was considered that the integration of preventive and curative programmes, which it found of equal importance, should be the aim of all long-range policy for the social progress of the Non-Self-Governing Territories.

The Committee emphasized the importance of obtaining popular participation at all levels in the formulation and execution of policies and endorsed the view that no programmes for the improvement of the life of the peoples of Non-Self-Governing Territories could have any hope of success unless it had the consent and whole-hearted support of the peoples, obtained by the stimulation of their own aspirations and their realization of their own needs. It also pointed out that popular collaboration was an economic necessity in view of the limited resources available for the expansion of social services. Commenting on the necessity for outside assistance, the Committee noted that such assistance was being provided by the Metropolitan countries, mainly in the form of operational or advisory services, grants for capital expenditure and facilities for education and training. Attention was drawn to the social welfare technical assistance offered through the United Nations and its specialized agencies. The Committee stressed the important role that international assistance played in accelerating action and expressed the hope that Administering Members would increasingly avail themselves of these facilities.

With respect to labour conditions, the Committee considered it imperative that, even if only a minority of workers were employed for wages, the conditions of their employment should not only be just, but should also foster social progress. Wage-earners should receive sufficient pay to support themselves and their families in the circumstances of their employment. It was urgently necessary to raise wages, the Committee stated, but it recognized that this must be accompanied by increased productivity. In this connexion, it cautioned that inquiries undertaken into the relationship of wages to productivity be sufficiently broad to take account of the educational, health and social improvements necessary before examining the techniques of adjusting wages to productivity. The Committee considered that efforts to foster trade unions and provide training for trade union officers should be continued and extended.

ILO reports concerning migrant workers were endorsed by the report, which observed that forms of migrant labour which led to long absences of

men from their families were socially undesirable and brought about serious social problems, both in the village communities and in the labour centres. The Committee expressed the hope that all Administering Members would ratify the International Labour Conventions concerning workers in Non-Self-Governing Territories.

The Committee on Information from Non-Self-Governing Territories also approved, by 13 votes to 1, with 2 abstentions, a draft resolution submitted by India and New Zealand, by which the General Assembly would approve the report on social conditions and invite the Secretary-General to communicate it to the Administering Members, the Economic and Social Council, the Trusteeship Council and the specialized agencies concerned.

This draft resolution was considered by the Fourth Committee during its discussion of the report of the Committee on Information from Non-Self-Governing Territories (A/2219). Members of the Fourth Committee did not discuss it at length, although reference to social conditions in the Non-Self-Governing Territories was made during the general debate on the Committee's report.

The majority of representatives in the Fourth Committee expressed general approval of the report. They felt that the three special reports by the Committee served a useful purpose.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, however, maintained that despite the deficiencies and omissions in the information, the political, economic, social and educational conditions in the Non-Self-Governing Territories showed that the Administering Powers had not fulfilled the obligations they had undertaken under the Charter. They were of the opinion that Non-Self-Governing Territories were being exploited as cheap sources of raw materials. Citing examples to show low wages, deplorable housing conditions, discriminatory legislation, inadequate public health measures and educational facilities, they stated that social conditions in general were unsatisfactory and that the policy of the Administering Powers in social and other matters was subordinated to political, economic and military interests of the Metropolitan countries. They stated that all problems in Non-Self-Governing Territories were essentially political and the only solution was rapid progress towards eventual independence.

The representative of Yugoslavia, who felt that the report had certain shortcomings, hoped that

more detail would be submitted in future reports. The information it did contain, however, was valuable, he said.

The draft resolution was adopted by the Committee, at its 262nd meeting on 3 November, by 43 votes to 5, with 2 abstentions.

At its 402nd plenary meeting on 10 December 1952, the General Assembly adopted the draft resolution recommended by the Fourth Committee (A/2296). The paragraph approving the report of the Committee on Information was adopted by 45 votes to 5, with 2 abstentions and the draft resolution as a whole by 45 votes to 5, with 2 abstentions as resolution 643 (VII). It read:

"The General Assembly,

"Noting the report prepared by the Committee on Information from Non-Self-Governing Territories on social conditions in Non-Self-Governing Territories,

"1. Approves the report of the Committee as a brief but considered indication of social conditions in Non-Self-Governing Territories and of the problems of social development;

"2. Invites the Secretary-General to communicate the report, for their consideration, 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."

c. EDUCATIONAL CONDITIONS

At its second session in 1951, the Committee agreed that further discussion of progress achieved in the field of education in Non-Self-Governing Territories should take place at its session in 1952. Accordingly, the Committee had before it a summary of information concerning education prepared by the Secretary-General (A/AC.35/L.104) as well as reports (A/AC.35/L.99 and A/AC.35/L.103) submitted by UNESCO on the use of indigenous national languages and on measures for eradicating illiteracy.

In discussing the use of vernacular languages, the representative of Egypt expressed disappointment that the report of UNESCO paid chief attention to problems arising in cases where a vernacular was not highly developed or widely used. He referred to the statement in the report that "If the mother tongue is adequate in all respects to serve as the vehicle of university and higher education it should be so used," and urged that more regard should be paid to this recommendation. In particular, he made a strong appeal to the French Government to give more emphasis to the teaching and use of Arabic as a medium of instruction in the educational system of Morocco and Tunisia.

The representative of France assured the Committee that Arabic was being fostered in French North Africa and stated that his Government encouraged the use of the vernacular wherever it was sufficiently developed. The use of the vernacular for school instruction, however, could not be made a general rule applicable to all territories irrespective of the circumstances prevailing in each territory. The representatives of the United Kingdom and the Netherlands supported this view and gave examples from their territories showing the difficulties experienced in the use of vernacular languages in multi-lingual areas.

The representative of India said that no general rule regarding the use of vernacular languages in education could be presented without qualification to take into account local factors and that in some specific instances the use of a lingua franca might have certain advantages. But he agreed that the tendency was in favour of the fuller use of the national language of the people. He pointed out that, over and above eradicating illiteracy, it was necessary to prevent the lapse into illiteracy. For this purpose it was essential that adequate and suitable follow-up material should be provided. He noted with appreciation the progress made in various aspects of education, but deplored the fact that the achievement of universal primary education was in one instance made conditional on the ability of the Native Authorities to finance it.

The representative of the United Kingdom, commenting on an observation by the representative of India on the need to provide free and compulsory education, stated that this was the ideal aimed at in the educational policy of territories under the administration of his Government. He instanced, however, the many difficulties that had to be overcome before this ideal could be achieved. It was the policy of the United Kingdom Government to develop in its dependent territories the whole educational system rather than one particular aspect and to give due regard to the traditions of the local inhabitants. He agreed with the representative of India on the importance of preventing a lapse into illiteracy of those who had received a modicum of education. To this end, literature bureaux had been set up in East and Central Africa to publish books in vernacular languages, both for use in schools and for reading, as well as to encourage the talents of local authors.

The representative of the USSR observed that the Administering Authorities were not fulfilling their obligations in matters of education and that, consequently, there was mass illiteracy among the

indigenous population. He cited specific cases in support of his contention.

The Fourth Committee did not consider separately the question of educational conditions in the Non-Self-Governing Territories, but, at the conclusion of its debate on the report of the Committee on Information from Non-Self-Governing Territories, adopted a draft resolution (see below) dealing with educational, economic and social policies.

d. INTERNATIONAL COLLABORATION ON ECONOMIC, SOCIAL AND EDUCATIONAL CONDITIONS

In resolution 445(V), the General Assembly confirmed "its recognition of the importance of international collaboration in regard to economic, social and educational conditions in Non-Self-Governing Territories as expressed in resolution 331(IV)," and invited the specialized agencies to communicate annually to the United Nations information on the progress of work undertaken by them which would be of service in Non-Self-Governing Territories. In resolution 444(V),¹² the Administering Members needing technical assistance for the economic, social and educational advancement of their Non-Self-Governing Territories were invited to submit their requests, and also to include in the information transmitted by them a report on the manner in which technical assistance received from the United Nations and the specialized agencies had been integrated into long-range development programmes in the Territories. Furthermore, the General Assembly, in resolution 336(IV), requested "the Secretary-General to keep the Special Committee informed of the nature of the technical assistance which is accorded from time to time to Non-Self-Governing Territories by specialized international bodies."

In the light of the above, the Secretary-General had prepared documents setting out 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, while memoranda concerning activities in their respective fields of interest to Non-Self-Governing Territories were submitted by WHO and UNESCO (A/AC.35/L.86, A/AC.35/L.92-93 and A/AC.35/L.95-96).

The Committee on Information from Non-Self-Governing Territories discussed the question of international collaboration and technical assistance from 29 September to 1 October.

The representatives of Egypt, India and Indonesia stressed the importance which the General Assembly and the Economic and Social Council had attached to the provision of technical assistance to Non-Self-Governing Territories and questioned whether full advantage had yet been taken of existing possibilities. They recognized the value of the provision of fellowships and scholarships, but urged also that the necessary measures should be taken to send to the Territories international experts capable of demonstrating on the spot methods suited to the development of the Territories. These representatives also commended the growing practice of providing for the attendance of representatives of the Non-Self-Governing Territories at regional seminars.

The representative of India also drew attention to the importance of close working collaboration between the United Nations and the intergovernmental regional commissions. There was an obligation on the Committee to stress the importance of another aspect of international collaboration, namely, between the United Nations and its specialized agencies on the one hand and the Metropolitan countries and their dependent Territories on the other. It was also important that, where United Nations fellowships and scholarships had been granted, due care should be taken to assure that the knowledge gained would benefit the local populations.

The representatives of Australia, Belgium, France, the United Kingdom, and the United States outlined the positions taken by their Governments in regard to technical assistance from the United Nations and its specialized agencies and the point was made that such assistance was available on a relatively modest scale and should be viewed in the total perspective of the greater technical facilities of the Administering Members which were made available to the Territories and of the other programmes of technical assistance of a regional or bilateral character. Examples of the various forms of national and regional technical assistance were instanced. The United Nations had emphasized the need of experts to be briefed on local conditions and, in their opinion, this was where persons already serving in the Territories had advantage over international experts. They assured the Committee that there had been no reluctance on their part to apply for such assistance, and gave details of the assistance received under the regular and expanded programmes of the United Nations and of the specialized agencies. Particular reference was made

¹² See Y.U.N., 1950, p. 697.

by representatives of some of the Administering Members to the participation of inhabitants of the various Territories in the programme of United Nations fellowships and scholarships and of the value of this programme to the individuals concerned and to the Territories.

The question of international collaboration on economic, social and educational conditions was not discussed separately by the Fourth Committee, but in the general debate on the report of the Committee on Information from Non-Self-Governing Territories representatives repeated the views they had expressed in that Committee. The representatives of Argentina, Denmark, Pakistan, the United States and Uruguay, among others, expressed the view that in certain cases some form of technical assistance was desirable to accelerate development of the Non-Self-Governing Territories.

e. ECONOMIC, SOCIAL AND EDUCATIONAL POLICIES

During the discussions in the Fourth Committee, a joint seven-Power draft resolution on economic, social and educational policies was presented at the 260th meeting on 31 October by Brazil, Ecuador, Egypt, India, Iraq, Pakistan and the Philippines (A/C.4/208).

In terms of this draft, the General Assembly would:

(1) express the hope that the Members concerned, in transmitting information under Article 73e of the Charter, would furnish annually as complete information as possible on any action taken to bring the reports of the Committee on Information from Non-Self-Governing Territories to the attention of the authorities responsible in the Territories for the implementation of educational, economic and social policy, and on any problems which might arise in giving effect to the general views expressed in these reports; and

(2) invite the Committee, in its annual reports to the Assembly, to consider the information transmitted under Article 73e in the light of the views expressed in the special reports on educational, economic and social conditions.

Sponsors of the draft resolution explained that it was a natural and logical consequence of Article 73e and in no way infringed the rights or responsibilities of the Administering Powers, or attempted to impose new obligations on them. The method proposed by the joint draft would lead to the establishment of closer relations between the Administering Powers and the Committee on Information from Non-Self-Governing Territories.

The representatives of Belgium, France, the Union of South Africa and the United Kingdom, however, maintained that the joint draft resolu-

tion was liable to give the impression that the United Nations intended to intervene in the relations between Administering Powers and local administrations. The representative of the United States said that he would vote for the joint draft on the assurance given by the sponsors. The representative of New Zealand said that as the Administering Powers had not undertaken to transmit information of a political character, he therefore considered the resolution as drafted was merely a request to the Administering Powers, who were free to comply with it or not, as they chose. The representatives of Argentina, El Salvador and Israel were among those who supported the contention of the sponsors that the draft did not infringe the prerogatives of Administering Powers.

The representative of the Ukrainian SSR submitted an amendment (A/C.4/L.220) to delete a paragraph of the seven-Power draft, as the reports mentioned did not, in his view, give a clear idea of economic, social and educational conditions in the Non-Self-Governing Territories. The objectives of the Administering Powers in those Territories were not those which they claimed—in the Committee—to be following. He emphasized that he was not opposed in any way to the actual principle that all Powers should collaborate in the observance of the Charter. The paragraph to which the Ukrainian representative raised objection would state that the reports expressed "general views and objectives to be taken into account in the formulation of policy."

At the 268th meeting on 13 November, by 34 votes to 5, with 7 abstentions, the Committee rejected the Ukrainian amendment and adopted the seven-Power draft as a whole by a roll-call vote of 34 to 2, with 12 abstentions.

The report of the Fourth Committee (A/2296) was considered at the 402nd plenary meeting of the General Assembly on 10 December 1952. The Assembly did not discuss the report, but a number of delegations, including those of Belgium, Brazil, Canada, Denmark, Dominican Republic, France, India, Iraq, Netherlands, New Zealand, Union of South Africa, United Kingdom, Uruguay and Venezuela, made statements in explanation of their votes.

After adopting, by 42 votes to 6, with 9 abstentions, that paragraph of the draft resolution recommended by the Fourth Committee (A/2296) which recognized that the reports of the Committee on Information from Non-Self-Governing Territories "express general views and objectives to be taken into account in the formulation of policy", the General Assembly, at its 402nd plen-

ary meeting on 10 December 1952, adopted the resolution as a whole by 47 votes to 2, with 8 abstentions as resolution 645 (VII). It read:

"The General Assembly,

"Considering that the Committee on Information from Non-Self-Governing Territories is invited to submit to the General Assembly at its regular sessions reports containing such substantive recommendations as it may deem desirable, relating to functional fields generally,

"Considering that in 1950, 1951 and 1952 the General Assembly approved special reports prepared by the Committee on Information from Non-Self-Governing Territories on educational, economic and social conditions, and invited the Secretary-General to communicate these reports to the Members of the United Nations responsible for the administration of Non-Self-Governing Territories for their consideration,

"Recognizing that these reports express general views and objectives to be taken into account in the formulation of policy,

"1. Expresses the hope that the Members concerned, when transmitting information under Article 73 e of the Charter, will furnish annually as complete information as possible on any action taken to bring the reports of the Committee on Information from Non-Self-Governing Territories to the attention of the authorities responsible in the Territories for the implementation of educational, economic and social policy, and on any problems which may arise in giving effect to the general views expressed in these reports;

"2. Invites the Committee on Information from Non-Self-Governing Territories in its annual reports to the General Assembly to consider the information transmitted under Article 73 e of the Charter in the light of the views expressed in the special reports on educational, economic and social conditions."

f. RACIAL DISCRIMINATION

The report of the Sub-Committee (A/C.35/L.111), appointed by the Committee on Information from Non-Self-Governing Territories to prepare a special report on social conditions in Non-Self-Governing Territories, which was considered by the Committee on 3 October, stated that the vital importance of improving race relations among all peoples should be evident to all who wished for the maintenance of world peace. It pointed out that in most of the Non-Self-Governing Territories, the fact that the bulk of the inhabitants were of an ethnic origin and had a cultural heritage different from those of the peoples of the countries responsible for their administration and currently filling most of the senior offices in the Territories made the collaboration among races in these Territories of even greater importance. While recognizing that there were many practical problems to be faced, it urged that effective measures of reaching the objective of eliminating race prejudice and effectively establishing race equality should be sought in

the field of legislation, of administrative practice, and of education and through the promotion and encouragement of enlightened public opinion. In the field of legislation, two principal problems were considered by the Committee: the abolition of any existing laws which tend to perpetuate race cleavages, and the adoption of laws consecrating the principle of race equality or directed against particular instances of race prejudice.

The representatives of Egypt, India, Indonesia and Pakistan submitted, in the Committee on Information from Non-Self-Governing Territories, a joint draft resolution on the subject of racial discrimination. The sponsors stated that in the light of the provisions in the Charter, the Committee should mark its recognition of the importance of the problem of race relations. The draft resolution would give formal expression to the view recorded in the report.

The representative of the USSR stated that various discriminatory measures existed in Non-Self-Governing Territories, notwithstanding the obligations incumbent on all Member States under the Charter and the Declaration of Human Rights to foster respect for all human rights without distinction as to race, sex, language or religion. As a rule, he said, the indigenous inhabitants were excluded from administrative posts and there were cases in which, although labour legislation prohibited such discrimination, it was applied in practice. Discriminatory measures, he alleged, included the restriction of health facilities and educational opportunities as well as the application of corporal punishment to the indigenous inhabitants and discriminatory policies were further implemented through residential segregation which was common in many Territories.

The representative of New Zealand said that it could be assumed that no Administering Power desired other than harmonious race relations in its Territories, but much levelling up of social conditions was needed before equality could be achieved. He drew attention to a UNESCO publication, *The Roots of Prejudice*, by Arnold M. Rose, which reached the conclusion that legislation against discrimination was one of the most important means of breaking down traditions of prejudice, though to be effective, legislation needed the support of community opinion.

Speaking against adoption of the draft resolution, the representatives of Belgium, France and the United Kingdom cited measures taken by their countries to guarantee human rights and establish equal treatment, and said that there was no need for formal action by the Committee since this would result in duplicating its views

on the subject of racial discrimination which had already been adequately expressed in the report on social conditions. Such a resolution would have the disadvantage of concentrating attention on a problem which was of world-wide significance and which was not related to Non-Self-Governing Territories only. Moreover, the problem was at present under consideration by other organs of the United Nations. The representative of Belgium added that his Government considered the question of race relations touching the field of political questions was a matter within its domestic jurisdiction; he would accordingly abstain from taking part in the discussion of the draft resolution as well as in the voting.

The draft resolution as a whole, with some amendments, was adopted by the Committee on Information from Non-Self-Governing Territories in a roll-call vote of 13 to none, with 2 abstentions.

Explanations of their votes were given by the representatives of Australia, the Netherlands and the United Kingdom. The representative of Australia stated that, while fully supporting the principles enunciated against racial discrimination, he had abstained from voting because: (1) he considered the resolution duplicated what was already set out in the report on social conditions; (2) the problem of racial discrimination was not confined to the Non-Self-Governing Territories; (3) the whole question was under study by other United Nations organs; and (4) it was not proper for the Committee to recommend to Member States the examination of their legislation with a view to its alteration. The representative of the Netherlands stated that, while he had voted for the resolution, he associated himself with the remarks made by the representative of Australia and regretted the adoption of the resolution as it weakened the effect of the report on social conditions. The representative of the United Kingdom had voted for the resolution but without prejudice to the position of his Government, as stated on 18 August 1950, with regard to the competence of the Committee and without prejudice to the proposal of further amendments by the United Kingdom delegation to the General Assembly.

The Fourth Committee discussed the question of racial discrimination in Non-Self-Governing Territories at its 260th to 262nd meetings, from 31 October to 3 November.

The Committee had before it the draft resolution recommended by the Committee on Information from Non-Self-Governing Territories

(A/2219, part I, annex II.B). The draft would have the Assembly:

(1) recommend to the Members responsible for the administration of Non-Self-Governing Territories the abolition of discriminatory laws and practices where they may still exist;

(2) recommend the examination of all laws and their application to the Non-Self-Governing Territories, with a view to abolition of any discriminatory provisions or practices;

(3) recommend examination of laws distinguishing between citizens and non-citizens primarily on racial grounds—wherever such laws exist;

(4) recommend the opening of all public facilities to all inhabitants without distinction of race;

(5) recommend examination of laws providing "particular measures of protection for sections of the population", in order to ascertain whether their protective aspect is still predominant and whether provision should be made for exemption from them in particular circumstances; and

(6) recognize that the establishment of improved race relations largely depends on the development of educational policies and commend "all measures designed to improve understanding among all pupils in all schools of the needs and problems of the community as a whole".

During the discussion of the draft resolution, the representatives of Belgium and France declared their determination to suppress and punish any racial discrimination. These representatives, however, together with those of Australia, the Netherlands, New Zealand and the United Kingdom, said that the problem of race discrimination, like all other questions affecting human rights, should be dealt with in a world-wide context and should not be discussed piecemeal, since a partial solution might well become a biased one. The representative of the Union of South Africa, on the other hand, stated that the question of race relations, as dealt with in the draft resolution, fell within the political field and was not covered by Chapter XI, which imposed certain obligations on Administering Members. The representatives of Brazil, Egypt, Guatemala and Uruguay were among those who expressed disagreement with this interpretation.

Among representatives who announced that they would support the draft resolution, several expressed the view that it was important to put an end to practices of racial discrimination as soon as possible. Among them were the representatives of El Salvador, Guatemala, Peru and the USSR. The representative of Thailand said that the draft represented a praiseworthy attempt to solve a very delicate problem.

The Committee also had before it the following amendments:

(1) An amendment by Venezuela (A/C.4/L.216), seeking to clarify the draft resolution by substituting for its three operative paragraphs a more specific text.

(2) Two amendments by the United Kingdom: (a) An amendment (A/C.4/L.218) to have a reference in the preamble to protective measures designed to safeguard the rights "of the indigenous inhabitants" relate instead to "sections of the population." (This was later withdrawn.)

(b) An amendment (A/C.4/L.215) which would state that the aim of the proposed examination of laws should be to abolish discriminatory practices "of racial or religious character." It also sought that the recommended examination of laws distinguishing between citizens and non-citizens, primarily on racial grounds, should be extended to discrimination on "religious" grounds.

(3) An amendment by Indonesia (A/C.4/L.219) to have that part of the resolution which referred to "particular measures of protection for sections of the population" relate specifically to "indigenous" sections of the population. (This was later withdrawn.)

(4) An amendment by the United States (A/C.4/L.217) which would: (a) refer the resolution to the Commission on Human Rights; and (b) request the Commission to give it appropriate consideration. At the request of the representative of Brazil, the representative of the United States later withdrew the latter part of his amendment.

Introducing his amendment, the representative of Venezuela said that the amendment did not attempt to impose a specific line of conduct on Administering Members; only true collaboration between Administering and non-administering Powers would make it possible to attain the lofty aims of Chapter XL The problems concerning the populations of the Non-Self-Governing Territories were not, he said, solely of a humanitarian nature; they also had political aspects and endangered international peace and security. In this view he was supported by the representative of El Salvador.

The representative of the United Kingdom stated that his amendments would enlarge rather than restrict the force of the draft resolution. This point of view was contested by a number of delegations, among them those of Brazil and India.

The United States representative recalled that his delegation had voted for the joint draft resolution in the Committee; he would however vote for several amendments which he felt improved the text. While supporting the view that the problem of racial discrimination was world wide, he nevertheless felt that the Fourth Committee must not overlook various aspects of the problem before it.

In a series of fourteen separate votes, the Committee adopted the resolution as a whole as amended. Two of the Venezuelan amendments were adopted by 45 votes to none, with 2 absten-

tions, and the third by 45 votes to none, with 3 abstentions. The first United Kingdom amendment was adopted by 16 votes to 12, with 16 abstentions, and the second by 41 votes to none, with 3 abstentions. The draft resolution as modified was adopted on a roll-call vote of 46 to none, with 2 abstentions.

After the adoption by 37 votes to 6, with 11 abstentions, of a United Kingdom drafting amendment (A/L.127), the General Assembly, at its 402nd plenary meeting on 10 December 1952, adopted as a whole the resolution proposed by the Fourth Committee (A/2296) by 51 votes to none, with one abstention as resolution 644 (VII). It read:

"The General Assembly,

"Having regard to the principles of the Charter and of the Universal Declaration of Human Rights emphasizing the necessity of promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

"Having regard to the principle recognized in Chapter XI of the Charter that the interests of the inhabitants of the Non-Self-Governing Territories are paramount,

"Recognizing that there is a fundamental distinction between discriminatory laws and practices, on the one hand, and protective measures designed to safeguard the rights of the indigenous inhabitants, on the other hand,

"1. Recommends to the Members responsible for the administration of Non-Self-Governing Territories the abolition in those Territories of discriminatory laws and practices contrary to the principles of the Charter and of the Universal Declaration of Human Rights;

"2. Recommends that the Administering Members should examine all laws, statutes and ordinances in force in the Non-Self-Governing Territories under their administration, as well as their application in the said Territories, with a view to the abolition of any such discriminatory provisions or practices;

"3. Recommends that, in any Non-Self-Governing Territory where laws are in existence which distinguish between citizens and non-citizens primarily on racial or religious grounds, these laws should similarly be examined;

"4. Recommends that all public facilities should be open to all inhabitants of the Non-Self-Governing Territories, without distinction of race;

"5. Recommends that where laws are in existence providing particular measures of protection for sections of the population, these laws should frequently be examined in order to ascertain whether their protective aspect is still predominant, and whether provision should be made for exemption from them in particular circumstances;

"6. Recognizes that the establishment of improved race relations largely depends on the development of educational policies, and commends all measures designed to improve among all pupils in all schools understanding of the needs and problems of the community as a whole;

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

3. Association of the Non-Self-Governing Territories in the Work of the Committee on Information

By resolution 566 (VI),¹³ the General Assembly invited the Committee on Information from Non-Self-Governing Territories to examine the possibility of associating the Non-Self-Governing Territories more closely in its work and to report to the Assembly at its seventh session.

The Committee considered this question from 2 to 6 October. It had before it a memorandum by the Secretary-General (A/AC.35/L83 and Add.1 and Corr.1) analysing briefly the forms of association and provisions for such association in the constitution of certain international bodies.

The Committee also had before it a joint draft resolution by Brazil, Cuba, Ecuador, Egypt, India and Pakistan (A/AC.35/L.116) which would, among other things, invite the Administering Members to avail themselves of the opportunity of the participation, in the work of the Committee on Information from Non-Self-Governing Territories, of representatives of Non-Self-Governing Territories, where the inhabitants have attained a wide measure of responsibility for economic, social and educational policies. This, the joint draft stated, would contribute toward more effective co-operation regarding the study of conditions in the Territories.

The sponsors of the joint draft resolution recognized that there might be some technical difficulties in drawing up conditions of associate membership, but they felt that there could be no opposition to the principle involved since the proposals were entirely in accord with Assembly resolution 566 (VI). Participation would be of benefit both to the Committee and to the representatives of the Non-Self-Governing Territories. There would be no question of dual representation since the draft resolution invited the Administering Members themselves to nominate the representatives who would be associated with the work of the Committee. The sponsors indicated that they were not considering conferring membership in the Committee on representatives of Non-Self-Governing Territories. The idea was merely to give such representatives an opportunity to express their views. Such spokesmen would be selected by local governments as representatives of the indigenous populations.

The representative of India thought that the technical difficulties could be solved. There were

strong reasons which made it desirable that the Non-Self-Governing Territories should have more direct participation which would enable them to acquire additional experience. He thought that such associate membership could be limited to four Territories at each session of the Committee, selected according to equitable geographical representation, having regard to the nature of the work the Committee planned to take up at the session concerned. He added that, as a tentative measure, all resolutions and reports adopted by the Assembly relating to Non-Self-Governing Territories might be sent to certain representative organizations in the Territories, and that the reactions of the recipients should be included in the information transmitted under Article 73e of the Charter.

The representative of the USSR stated that the joint draft resolution did not provide for adequate representation of the inhabitants of the Non-Self-Governing Territories, since such representation would be subject to selection by the Administering Members and only from those Territories which had attained "a wide measure" of self-government. Furthermore, it was certain that no resolution inviting the Administrative Members to secure the closer association of Non-Self-Governing Territories would have any results. He, therefore, proposed an amendment, by which the Committee on Information from Non-Self-Governing Territories would be authorized "to invite the participation in its work, without the right to vote, of representatives of social, cultural and educational organizations, as well as of representative organs of local self-government if such exist in Non-Self-Governing Territories."

The representative of the United States stated that the joint draft resolution raised serious implications. In general, his Government considered it desirable that a close association between dependent areas and the work of the United Nations should be maintained so that the inhabitants of these Territories might gain a wider understanding and appreciation of the principles and objectives of the Charter and of the work of the United Nations. However, it was unable to support any action which would create any form of representation in the Committee of their inhabitants distinct from that of the Members of the United Nations responsible for their administration, and he felt that there was no need for associate membership in the Committee. He felt that the most practicable way of providing for a closer association was to continue and inten-

¹³ See Y.U.N., 1951, p. 629.

sify the practice followed by some Administering Members of attaching to their delegations suitably qualified persons from the Territories and proposed a draft resolution to this effect.

Opposing the joint six-Power draft resolution, the representatives of Belgium, France and the United Kingdom stated that, while they recognized that Non-Self-Governing Territories were admitted as associate members in some specialized agencies or regional economic commissions, there was nothing in common between the Committee under consideration and those bodies. Moreover, there was nothing in the Charter authorizing such participation in a Committee of the General Assembly whose members were restricted to those of the United Nations itself. These representatives, and the representative of Australia, felt that associate membership would be a form of dual representation. Their Governments could not accept a proposal which ignored the unity of authority which was an essential to democratic government.

The representative of Denmark stated that although he agreed with the principle that methods should be sought to achieve closer association, he did not agree with the methods proposed in the six-Power draft.

The representative of India proposed that the Committee should recommend to the Assembly the need for a further study of the problem.

The Committee rejected the Soviet amendment by 11 votes to 1, with 4 abstentions. The joint six-Power draft resolution was also rejected, by 8 votes to 7, with 1 abstention. The Committee further rejected the United States draft in a roll-call vote of 8 to 5, with 3 abstentions.

The Fourth Committee discussed the question at its 268th to 270th meetings, on 10 and 11 November 1952.

It had before it a joint draft resolution submitted by Burma, India, Indonesia and Pakistan (A/C.4/L.221), according to which the General Assembly would:

(1) express the hope that Administering Members would find it appropriate to extend the practice of associating suitably qualified persons from their Non-Self-Governing Territories in the work of the Committee in any manner that might be deemed desirable;

(2) invite the Administering Members to transmit copies of the reports on economic, social and educational conditions of the Committee on Information from Non-Self-Governing Territories, together with the relevant resolutions of the General Assembly, to the authorities of such Territories as have legislatures, and to include in the information annually furnished to the Secretary-General the views of those legislatures on such reports and resolutions; and

(3) invite the Committee on Information from Non-Self-Governing Territories to study the further question of the direct association in its discussions on economic, social and educational conditions of representatives of Territories whose inhabitants have attained a wide measure of responsibility for economic, social and educational policies; and to include recommendations on this question in its report to the eighth session of the General Assembly.

The sponsors and the representatives of Israel, the Philippines and Yugoslavia recalled in support of the joint draft resolution that dual representation had been accepted by the United Kingdom in the League of Nations when India had been separately represented. They expressed the view that it was not the intention of those who framed the Charter to prevent the inhabitants of the Non-Self-Governing Territories from being associated with the United Nations. Moreover, there was a greater need now for equality and fraternity. The draft resolution respected the right of the Administering Members to select such representatives of Territories to be associated with the work of the Committee. The association of Non-Self-Governing Territories in the work of the United Nations would not only contribute to the work of the Committee on Information from Non-Self-Governing Territories; it would also help the representatives of these Territories to acquire, in addition to knowledge and experience, confidence in their capacity to assume complete responsibility ultimately for their own affairs.

The representatives of the Byelorussian SSR, Czechoslovakia, India and the USSR stated that the Assembly was entitled to know the reactions and opinions of the inhabitants of Non-Self-Governing Territories to its resolutions and recommendations.

These representatives, and those of Brazil, Egypt, Guatemala, Haiti, India, Indonesia, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, the United States, Uruguay and Yugoslavia, expressed the view also that the indigenous inhabitants should participate in the formulation and administration of any development plans in the Territories themselves.

The representatives of Australia, Belgium, France and the United Kingdom, on the other hand, maintained that the sole responsibility for the administration of Non-Self-Governing Territories lay with the Administering Powers concerned and that any attempt to establish direct relations between the United Nations and the local legislatures would amount to a usurpation of one of the prerogatives of the Administering Members. They did not see how the adoption of the joint draft resolution would assist in

the achievement of the goals of Chapter XI of the Charter. Some of these representatives, including those of Australia, France, the United Kingdom and the United States, said that they were quite prepared to include in their delegations representatives from the Non-Self-Governing Territories. The representatives of Australia, France and the United Kingdom insisted, however, that the right to choose such persons was entirely that of the Administering Power concerned.

The representatives of Brazil, Colombia, the Dominican Republic, Israel, Peru and Venezuela stated that although they favoured the principle of the participation of indigenous inhabitants, they recognized that such participation could be achieved only with the co-operation of the Administering Powers, and that certain realities had to be faced.

The representatives of Argentina, Bolivia, Egypt, El Salvador, Guatemala, Iraq, Lebanon, Saudi Arabia and Syria presented a joint amendment (A/C.4/L.230/Rev.1) to the four-Power draft. Some of the sponsors of this amendment, including the representatives of Guatemala, Iraq, Lebanon and Syria, emphasized that they were in full accord with the principle of participation and were seeking a practical solution to the problem. The nine-Power amendment would have the Assembly invite the Administering Members to make participation possible. This amendment was presented as a substitute paragraph for that part of the four-Power draft which would express the hope that Administering Members would find it appropriate to extend the practice of associating suitably qualified persons from their Non-Self-Governing Territories in the work of the Committee on Information from Non-Self-Governing Territories.

The sponsors of the four-Power draft did not accept this amendment, but they accepted an oral drafting amendment by Denmark and a Brazilian amendment (A/C.4/L.227) which would refer to "direct participation" in the work of the Committee instead of to "the closer association" of the indigenous inhabitants, and would further state that the proposed study of direct association should be concerned with direct "participation."

The USSR also presented an amendment (A/C.4/L.224) to provide a substitute text for the same paragraph. In terms of the Soviet amendment, the Assembly would declare that it considered it "essential" that Administering Members should extend the practice of associating

suitably qualified persons from their Non-Self-Governing Territories in the work of the Committee.

The United States proposed (A/C.4/L.288) a number of drafting changes as well as the deletion of a paragraph of the four-Power draft, which would have invited the Committee on Information from Non-Self-Governing Territories to study the further question of the direct participation of the indigenous inhabitants in its discussions on economic, social and educational policies and to include recommendations on this question in its report to the eighth session of the General Assembly.

At its 270th meeting on 11 November, the Committee, in a series of 13 separate votes, took action on the joint four-Power draft and the amendments.

Paragraphs of the preamble, as modified by the accepted amendments of Brazil and Denmark, were adopted by votes varying from 40 to 8, with 3 abstentions, to 49 to none, with 3 abstentions.

The USSR amendment was rejected by 23 votes to 7, with 22 abstentions.

The nine-Power amendment was adopted by a roll-call vote of 31 to 14, with 9 abstentions.

The two drafting changes proposed by the United States were adopted in separate votes, of 32 to 10, with 11 abstentions, and 40 to 1, with 11 abstentions. The Committee, however, in a roll-call vote of 22 to 17, with 15 abstentions, rejected that part of the United States amendment which would delete a request to the Committee on Information from Non-Self-Governing Territories to study the further question of direct participation.

The joint draft resolution as a whole, as amended, was adopted by a roll-call vote of 40 to 10, with 4 abstentions.

The draft resolution recommended by the Fourth Committee (A/2296, draft resolution V) was adopted by 43 votes to 11, with 4 abstentions, by the General Assembly at its 402nd plenary meeting on 10 December 1952 as resolution 647(VII). It read:

"The General Assembly,

"Recalling that, in resolution 566 (VI) adopted on 18 January 1952, the General Assembly invited the Committee on Information from Non-Self-Governing Territories to examine the possibility of associating the Non-Self-Governing Territories more closely in its work and to report the results of its examination of this problem to the General Assembly at its seventh session in connexion with the Assembly's consideration of the Committee's future,

"Recalling that it has been found both possible and useful to associate Non-Self-Governing Territories with the work of technical organs of the United Nations, including the specialized agencies,

"Recognizing that direct participation 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,

"Noting that the Members administering Non-Self-Governing Territories have from time to time attached qualified persons from these Territories to their delegations to the Committee,

"1. Considers it desirable that there be associated in the work of the Committee on Information from Non-Self-Governing Territories qualified indigenous representatives from Non-Self-Governing Territories, and invites the Administering Members to make such participation possible;

"2. Invites the Administering Members to transmit copies of the reports on economic, social and educational conditions of the Committee on Information from Non-Self-Governing Territories, together with the relevant resolutions of the General Assembly, to the executive and legislative branches of these Territories;

"3- Invites 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 have attained a wide measure of responsibility for economic, social and educational policies, and to include recommendations on this question in its report to the General Assembly at its eighth session."

4. Future of the Committee on Information from Non-Self-Governing Territories

Assembly resolution 332 (IV), which constituted the Committee on Information from Non-Self-Governing Territories, provided that "the General Assembly will . . . examine in 1952 the question whether the Special Committee should be renewed."

The Committee, on 2 and 3 October, discussed the question of the future of the Committee. In general, four views were expressed; the representatives of Belgium, France and the United Kingdom were not in favour of the renewal of the Committee in its present form. The representatives of Brazil, Ecuador, Egypt, India, Indonesia, Pakistan and the USSR supported the principle of establishing the Committee on a permanent basis. The representative of the United States, supported by Denmark, Australia and the Netherlands, proposed the continuation of the Committee for a further three-year period, while the representative of Cuba, supported by the representative of Ecuador, felt that should the Committee not be

established on a permanent basis, it should be continued for a four-year term.

The representative of Belgium felt that the Committee's work was useless and sterile. The fact that the Committee had not been given the right to make comparisons with conditions in independent countries faced with similar problems was seriously jeopardizing the value of its conclusions. Discussions should take place in some other body to which experts from Member States with common problems should be convened, he said.

The representative of the United Kingdom referred to the lack of constitutional provision in the Charter for the creation of the present Committee, particularly as the information transmitted under Article 73e was supplied for information purposes. He stated that the legal responsibilities of the United Nations were discharged when the Secretary-General had received the statistical and other technical information submitted by the Administering Members. Although the United Kingdom had in the past year collaborated in the technical discussion in the Committee, he did not consider that these discussions had brought results which, even if the constitutional objections were set aside, justified the renewal of the Committee.

The representative of France pointed out that his Government had participated in the Committee to the best of its ability in a spirit of goodwill and faith in international co-operation. The Committee, however, was getting away from reality.

In support of the view that the Committee should be established on a permanent basis, the representatives of the non-Administering Members stressed the obligations and moral accountability of the Administering Members. The Committee not only served a useful purpose but had made some valuable contributions. As long as Non-Self-Governing Territories existed and the Charter of the United Nations and the resolutions of the General Assembly remained in force, some machinery was needed to assist the General Assembly in discharging its responsibilities towards the Non-Self-Governing Territories. It was, accordingly, impossible to do away with the Committee without grave and adverse psychological repercussions. The Committee had a responsibility towards the peoples of the Non-Self-Governing Territories which no specialized agency or any other organ of the United Nations could fulfil.

The representative of the USSR concluded that since the Administering Members had accepted

obligations toward the Non-Self-Governing Territories the General Assembly had to ascertain to what extent these obligations had been fulfilled. Conditions remained unsatisfactory in the Non-Self-Governing Territories. The obligations of the Administering Members to transmit information was of a permanent character and the Committee whose function it was to examine such information should therefore be established on a permanent basis.

The representative of the United States agreed that the Committee had made some useful contributions in its work, and, taking into consideration that wide differences existed as to whether or not the Committee should be renewed, submitted a draft resolution (A/AC.35/L.114) advocating that the Committee should be continued on the same basis for a further period of three years. In this view he was supported by the representatives of Australia, Denmark and the Netherlands. The representative of the Netherlands, however, preferred the creation of a committee of experts.

The USSR submitted a draft resolution (A/AC.35/L.115) recommending the establishment of the Committee on a permanent basis, but this was rejected by 8 votes to 7, with 1 abstention.

Egypt proposed an amendment to the United States draft, to extend the term of the Committee for a period of four years instead of three years. With 8 votes in favour and 8 against, the amendment was not adopted.

The Committee, by 13 votes to 3, adopted the United States draft.

In terms of the resolution recommended by the Committee on Information from Non-Self-Governing Territories the Assembly would not only decide to continue the Committee for a further three-year period "on the same basis", but would also instruct the Fourth Committee, acting on its behalf, to fill such vacancies as might occur among the non-Administering Members of the Committee.

From its 264th to 267th meetings, from 5 to 11 November, the Fourth Committee considered the question of the Committee's renewal and the draft resolution recommended by the Committee on Information (A/2219, part I, annex II.C).

Twenty-one delegations presented an amendment (A/C.4/212) to the draft resolution recommended by the Committee on Information from Non-Self-Governing Territories. Sponsors of this draft were: Argentina, Bolivia, Brazil, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Haiti,

Honduras, Indonesia, Iraq, Lebanon, Mexico, Pakistan, Philippines, Saudi Arabia, Syria, Uruguay, Yemen and Yugoslavia. This would amend the draft recommending renewal for a further three-year period by having the Assembly decide to continue the Committee on the same basis "for as long as there exist Territories whose people have not yet attained a full measure of self-government."

During the debate on the question of renewal a majority of delegations expressed themselves generally in favour of the continuance of the Committee. Among representatives who expressed this view were those of Brazil, Canada, China, Cuba, Czechoslovakia, Egypt, Greece, Guatemala, Haiti, India, Indonesia, Israel, Liberia, Mexico, Pakistan, Peru, Poland, Saudi Arabia, Syria, the USSR, the United States, Uruguay, Venezuela and Yemen.

The representatives of Bolivia, Burma, China, Cuba, El Salvador, India, Indonesia, Iraq, Lebanon, Saudi Arabia, Syria and Uruguay, among others, expressed the view that the Committee should be renewed on a permanent basis.

The representative of the Netherlands, however, expressed reservations concerning the constitution and terms of reference of the Committee on Information from Non-Self-Governing Territories, while others, among them those of Poland and the USSR, felt that, although the reports of the Committee were unsatisfactory from their point of view, it was nevertheless important that the function performed by the Committee should continue.

The representatives of Australia, Belgium, France, the Netherlands and the United Kingdom, on the other hand, doubted the usefulness of the service performed by the Committee. The representatives of Australia, Belgium, France, New Zealand, the Union of South Africa and the United Kingdom emphasized that the Charter did not provide for any accountability or supervision by the United Nations in connexion with Non-Self-Governing Territories as in the case of Trust Territories. They felt that the renewal of the Committee on Information from Non-Self-Governing Territories on a permanent basis implied the existence of such an obligation on the part of Administering Powers.

The representatives of Belgium, France and the United Kingdom stated that if the Fourth Committee should decide to renew the Committee permanently, they reserved the rights of their Governments on whether or not, in such circumstances, they would continue to serve on the Committee on Information from Non-Self-Gov-

erning Territories. Although they had felt no compulsion to do so, they had agreed, in a spirit of co-operation, to serve on the Committee originally and to contribute experience gained in the administration of Non-Self-Governing Territories, in the hope that that experience would prove useful to the United Nations and to Member States. Their participation had been conditional and subject to the limited period envisaged when the Committee was first established.

The assertion that no obligation on the part of Administering Members existed in respect of Non-Self-Governing Territories was contested by a number of delegations, among them those of Haiti, Poland, Syria, the USSR and Yemen.

The representative of Poland said that the negative attitude of the Administering Powers towards the Committee on Information from Non-Self-Governing Territories was inspired by their determination to limit the functions of the United Nations in relation to Non-Self-Governing Territories. The representative of the USSR said that Chapter XI of the Charter imposed special obligations which would continue to exist so long as there remained Non-Self-Governing Territories.

A number of representatives, including those of Brazil, China, Cuba, Egypt, Greece, India, Israel, Liberia, Peru, the United States and Venezuela, said that although it was desirable that the Committee should continue on a permanent basis, it appeared from the discussion that a permanent Committee on Information from Non-Self-Governing Territories might have to continue without the services of some of the Administering Powers. Such a condition might seriously impair the value of the Committee's work and the co-operation of the Administering Powers, thus endangering its existence. In view of this, they felt that a compromise was necessary.

The United States and Venezuela proposed an amendment (A/C.4/L.223) to the 21-Power amendment. By this amendment the Committee would be renewed for a further three-year period and thereafter would be continued automatically for three-year periods, unless otherwise decided by the General Assembly. This provision would replace the qualification "for as long as there exist Territories whose people have not yet attained a full measure of self-government" appearing in the 21-Power draft. Sponsors of both amendments met privately in an attempt to reach a compromise, but no agreement was reached. The United States and Venezuela then presented a revised amendment (A/C.4/L.223/Rev.1)

which would add their provisions to those of the 21-Power draft, without eliminating any part of the latter.

The representative of Liberia proposed (A/C.4/L.225) the addition of a clause indicating that the proposed continuation should be subject to the Assembly's considering it necessary, but later withdrew this amendment. Its purpose had been, it was stated, to establish that any question of terminating the Committee or altering its basis would not come before the Assembly unless such a question were specifically proposed as an item for inclusion in the agenda.

At its 267th meeting on 11 November, the Fourth Committee voted on the United States and Venezuelan revised joint amendment. It adopted the phrase "unless otherwise decided by the General Assembly," by a roll-call vote of 22 to 20, with 12 abstentions. It rejected, by a roll-call vote of 23 to 22, with 9 abstentions, the phrase "for additional three-year periods." Also by roll-call vote, it adopted the joint amendment, as amended, by 23 votes to 16, with 15 abstentions. The Committee then adopted, by a roll-call vote of 40 to 12, with 2 abstentions, the 21-Power amendment (A/C.4/212) as amended.

The draft resolution as a whole, as modified, was adopted by a roll-call vote of 40 to 12, with 2 abstentions.

By this action, the Fourth Committee decided to recommend to the Assembly the continuation of the Committee on the same basis for a further three-year period and at the end of that period, unless otherwise decided by the General Assembly, to continue it automatically thereafter for as long as there exist territories whose peoples have not yet attained a full measure of self-government.

When the draft resolution (A/2296, draft resolution IV) came before the 402nd plenary meeting of the General Assembly on 10 December 1952, the representatives of Belgium, France and the United Kingdom announced that they would not participate in its work if the Committee were continued on a permanent basis. They held that there was no provision in the Charter for a systematic examination by a special body of the information transmitted under Article 73e. These representatives said that their Governments were prepared to participate, in a spirit of co-operation, as long as the Committee existed on a temporary basis, but that they could not accept the implication that Administering Members were accountable to the United Nations for the administration of their Non-Self-Governing Territories.

The representatives of Canada and the Dominican Republic said that, in view of the newly expressed interpretations of the draft resolution with regard to the obligation to transmit information, renewal of the Committee on a fixed-term basis would be desirable.

The representative of Denmark proposed that the Assembly vote separately on the combined proposal to continue the Committee: (1) on the same basis for a further three-year period; and (2) at the end of that period, to continue the Committee automatically. He stated that if the addition were rejected, this would ensure the co-operation of all Member States.

Though stating that they did not necessarily agree with the motives of the Administering Powers which had declared that they would not participate if the Committee were to be renewed on a permanent basis, the representatives of Brazil, Ecuador, India, Iraq, Uruguay and Venezuela, among others, considered that it was important that the Committee should continue to function, and because of this, they said, they would not insist on the permanent re-establishment of the Committee, if this would prejudice the future work of the Committee.

The representative of India proposed orally that, should the Assembly reject that part of the draft providing for the automatic continuation of the Committee on Information from Non-Self-Governing Territories after a further three-year period, a provision should be added which would ensure that the Assembly consider, at its regular session in 1955, the question of renewal.

The Assembly first adopted, by 52 votes to 1, with 5 abstentions, that part of the draft resolution recommended by the Fourth Committee (A/2296) which would decide to continue the Committee on Information from Non-Self-Governing Territories "on the same basis for a further three-year period."

It then voted, by roll call, on the remaining part of the paragraph which read: "and at the end of that period, unless otherwise decided by the General Assembly, to continue the Committee automatically thereafter for as long as there exist Territories whose people have not yet attained a full measure of self-government."

Eleven votes were cast in favour, 18 against, with 30 abstentions, and that part of the paragraph was accordingly rejected. Voting was as follows:

In favour: Byelorussian SSR, Czechoslovakia, El Salvador, Guatemala, Haiti, Honduras, Indonesia, Poland, Ukrainian SSR, USSR, Yugoslavia.

Against: Australia, Belgium, Canada, Denmark, Dominican Republic, France, Iceland, Luxembourg, Netherlands, New Zealand, Norway, Panama, Peru, Sweden, Turkey, Union of South Africa, United Kingdom, United States.

Abstaining: Afghanistan, Argentina, Bolivia, Brazil, Burma, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, Egypt, Ethiopia, Greece, India, Iran, Iraq, Israel, Liberia, Mexico, Nicaragua, Pakistan, Paraguay, Philippines, Saudi Arabia, Syria, Thailand, Uruguay, Venezuela, Yemen.

The Indian oral amendment, which would have the General Assembly examine the question of renewal of the Committee on Information at its regular session in 1955, was then adopted by 43 votes to 3, with 11 abstentions.

The resolution as a whole, as amended, was adopted at the Assembly's 402nd plenary meeting on 10 December 1952 by 53 votes to 2, with 3 abstentions as resolution 646(VII). It read:

"The General Assembly,

"Having established, by resolution 332 (IV) adopted on 2 December 1949, a Committee on Information from Non-Self-Governing Territories,

"Recognizing the value of the work performed by this Committee,

"Recalling its decision set out in resolution 332 (IV) to "examine in 1952 the question whether the Special Committee should be renewed for a further period, together with the questions of the composition and terms of reference of any such future Special Committee",

"Having re-examined the terms of reference of the Committee and the provisions for its composition as set forth in resolution 332 (IV), and the provisions relating to the work of the Committee set out in resolution 333 (IV),

"1. Decides to continue the Committee on Information from Non-Self-Governing Territories on the same basis for a further three-year period;

2. Instructs the Fourth Committee, acting on behalf of the General Assembly, to fill such vacancies as may occur among the non-administering Members of the Committee;

"3. Decides that, at its regular session in 1955, the General Assembly will examine the question whether the Committee on Information from Non-Self-Governing Territories should be renewed for a further period, together with the questions of the composition and terms of reference of any such future committee."

On 15 December the Fourth Committee, on behalf of the General Assembly, elected Brazil, China, India and Iraq to fill four vacancies on the 16-member Committee on Information from Non-Self-Governing Territories, their terms of office to begin in 1953.

B. THE QUESTION OF SOUTH WEST AFRICA

In resolutions 65(I), 141 (II), 227(III), 337(IV) and 449(V),¹⁴ 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),¹⁵ 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 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; (2) these provisions do not impose on the Union of South Africa a legal obligation to place the Territory under the Trusteeship System; and (3) 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." The Committee, consisting of the representatives of Norway, Syria, Thailand, the United States and Uruguay, was further authorized "as an interim measure, and pending the completion of the negotiations with the Government of the Union of South Africa, and as far as possible in accordance with the procedure of the former Mandates System, to examine reports on the administration of the Territory of South West Africa as well as petitions and any other matters relating to the Territory that may be submitted to the Secretary-General."

1. Consideration by the Ad Hoc Committee on South West Africa

Following the adoption of resolution 570(VI), the Ad Hoc Committee held 16 meetings, from 26 March to 18 November 1952. It decided after three meetings that its task would be facilitated if meetings were held in private. In addition, it held three informal meetings on 27 May, 2 June and 13 October. The representative of the Union of South Africa met with the Committee on 10 and 18 September, 1 and 29 October and 6 November. On 18 November, the Committee

adopted its report to the General Assembly and decided to release the report on 25 November.

In its report (A/2261) to the General Assembly, the Committee summarized the exchange of opinions between the Committee and the representative of the Union of South Africa.

On 10 and 18 September the representative of South Africa re-submitted, as a basis for further consideration in view of the wider terms of reference of the Ad Hoc Committee, a proposal made by his Government in 1951, namely, that a new instrument in respect of the Territory should be concluded, under the terms of the former League of Nations Mandate, with the three remaining principal Powers—France, the United Kingdom and the United States—as the other party to the instrument. He reaffirmed that his Government, despite the opinion of the International Court of Justice, still maintained that the Mandate had lapsed with the demise of the League of Nations, but added that if negotiations should proceed satisfactorily, his Government would make available information on its administration of South West Africa to the second party to the new instrument.

The Union representative stated that the three Powers would act as principals and not as agents; that his Government did not intend to by-pass the United Nations, which would have to approve the general principles of the instrument before it could come into force.

The Committee, on 1 October, informed the South African representative that it could not accept any proposal which did not give adequate effect to the principle of international accountability by the Union Government for its administration of South West Africa.

To certain specific questions put by the Committee, the representative of South Africa stated that it was the intention of his Government to supply annually information concerning the Territory and that it further contemplated giving accountability to the three Powers concerned. Further details of the international supervision could be discussed after a decision had been reached on a new instrument and on whether the three Powers were acceptable to the Committee as the second party to the new instrument.

On 29 October the Chairman of the Ad Hoc Committee informed the Union representative

¹⁴ See previous Yearbooks.

¹⁵ See Y.U.N., 1951, pp. 644-45.

orally of the Committee's views on the South African proposal. The Committee repeated its contention that it could not accept any proposal which did not recognize the principle of supervision by the United Nations, as envisaged in the advisory opinion of the International Court and it was unable to reconcile the South African proposal with this principle. It stated further that negotiations for an agreement could only be undertaken by the United Nations through an agency responsible to that Organization.

On 6 November the representative of South Africa contended that the Committee had given an incorrect interpretation of the Court's opinion and asked, in view of this, whether the Committee could not now accept the proposal. The Chairman reaffirmed the Committee's interpretation.

On 18 November negotiations were suspended. The Committee reported that negotiations had proved inconclusive, adding that agreement in principle had been reached on the following points:

(1) That a new instrument, replacing the former Mandate for South West Africa, should be concluded;

(2) That the new instrument should revive the "sacred trust" contained in articles 2 to 5 of the Mandate, with minor modifications necessitated by the changed circumstances but which would not affect in any way the principle of the "sacred trust";

(3) That, under certain conditions, the Government of the Union of South Africa would make available information on its administration of South West Africa;

(4) That such information would be as full as that once supplied by the Government of the Union of South Africa under the Mandates System; and

(5) That there should be some form of supervision, on the administration of South West Africa, by the Union of South Africa.

The points of difference between the Committee and the representative of the Union of South Africa were the following:

(1) There was fundamental disagreement on how supervision of the administration of South West Africa by the Government of the Union of South Africa should be carried out. The Committee was of the opinion that such supervision, even though it should not exceed that which applied under the Mandates System, should be exercised by the United Nations. It considered that the form of judicial supervision by the International Court, which the Government of the Union of South Africa was prepared to accept, failed to meet the requirements laid down in the opinion of the Court which had been accepted by the Assembly. On the other hand, the representative of the Union Government was of the opinion that, from a practical point of view, supervision exercised by the United Nations would be for the Union of South Africa more onerous than that existing under the Mandates System. Before submitting its proposal, the Government of the Union of South Africa had examined the question of supervision in all its aspects,

and had come to the conclusion that any obligation it would assume, which would carry with it supervision by the United Nations, would go beyond the obligations undertaken under the Mandates System. This point of difference remained unresolved.

(2) The Committee and the representative of the Government of the Union of South Africa did not agree on who the second party to the agreement should be. The Union representative stated unequivocally that his Government did not contemplate concluding an agreement on South West Africa directly with the United Nations, although the agreement which it was prepared to negotiate and conclude with France, the United Kingdom and the United States would have to be approved by the United Nations. Moreover, the Union of South Africa would be responsible only to the second party to the agreement and would supply information concerning South West Africa only to that party. The Committee considered that the agreement should be concluded either with the United Nations or with an agency appointed by and responsible to the United Nations.

The Committee regretted that agreement had not yet been reached on these points of difference, and held itself ready to make further efforts during the current session should the General Assembly request it to do so.

The representative of Uruguay stated that, since he could not endorse some of the points mentioned in the report, he reserved his Government's right to refer to these discrepancies before the Assembly.

The Committee also reported that with regard to the authorization given to it by the Assembly to examine reports on the administration of South West Africa the Committee was unable to comply with the Assembly's instructions because no such report was submitted by the Government of the Union of South Africa. With regard to the authorization given by the Assembly to examine petitions and any other matters relating to the Territory that might be transmitted to the Secretary-General, however, the Committee recalled that, in 1951, it had received and examined ten communications relating to South West Africa.¹⁶

In 1952, the Committee received and examined six communications relating to South West Africa from outside the Territory. The communications¹⁷ were:

A communication dated 6 March 1952 from the Reverend Michael Scott to the Chairman of the Ad Hoc Committee, together with a petition from the Convention People's Party of the Gold Coast;

A communication dated 17 September 1952 from the Reverend Michael Scott to the Chairman of the Ad Hoc Committee, together with a memorandum on the subject of South West Africa;

¹⁶ See Y.U.N., 1951, p. 632.

¹⁷ For texts, see K/2261.

A communication dated 20 October 1952 from the Reverend Michael Scott to the Secretary-General, together with a memorandum on the subject of South West Africa;

A communication dated 23 October 1952 from Lord Hemingford, Chairman of the Africa Bureau, London, to the Chairman of the Ad Hoc Committee, together with a report published by the South African Institute of Race Relations on the welfare of the indigenous inhabitants of South West Africa;

Communications dated 26 and 29 October 1952 from the Reverend Michael Scott to the Chairman of the Fourth Committee on the subject of legislation enacted in South Africa in connexion with its policy of apartheid, together with a statement by the Dutch Reformed Federated and Mission Churches of South Africa in connexion with the Native question; and

A communication dated 5 November 1952 from the Reverend Michael Scott to the Chairman of the Committee, together with seven documents relating to South West Africa and the South African policy of apartheid.

In the case of each of these communications, the Committee decided:

(a) To accept the communications, as far as they relate to the Territory of South West Africa as petitions;

(b) In accordance with the procedure of the former Mandates System, to transmit the petitions to the Government of the Union of South Africa for comment; and

(c) To include the petitions in the report to the General Assembly.

In 1952, the Committee received and examined three communications relating to South West Africa from the Territory itself. They were:

Two communications, dated 7 February and 7 March 1952, from Chief Hosea Kutako addressed to the Secretary-General;

A communication, undated, from Messrs. Beukes, Diegaard and van Wyk, addressed to the Chairman of the Ad Hoc Committee.

On 25 April 1952 the Committee decided to acknowledge receipt of these three communications meanwhile, and on 7 November it considered what action should be taken. The Committee realized on the one hand that, in accordance with the procedure of the Permanent Mandates Commission, petitions sent through any channel other than the Mandatory Government were returned to the signatories with the request that they should re-submit them in accordance with established procedure. On the other hand, the Committee, being aware of the attitude of the Government of the Union of South Africa, expressed in the letters dated 8 and 25 April 1952, decided to transmit these communications to the Assembly and also to the Government of the Union of South Africa. By a letter dated 19 November 1952 the Committee transmitted the three communications to the Union Government.

2. Consideration by the General Assembly at its Seventh Session

At the 304th meeting of the Fourth Committee on 12 December, during a discussion on the question of how the Committee might most effectively deal with the items remaining on its agenda for the current session, the representative of the Union of South Africa said that although his delegation was prepared to discuss the question of South West Africa at any time convenient to the Committee, it would, however, be preferable not to begin the discussion a few meetings before the adjournment and then postpone further discussion until the following year. He was supported in this view by the representatives of Belgium and Brazil.

At its 308th meeting on 16 December, the Committee began discussion of the question. The Chairman said that he understood that the Committee wished to confine its consideration to the question of procedure and not to embark on a debate on the substance of the matter.

The Committee had before it the report of the Ad Hoc Committee on South West Africa (A/2261). It also had before it a joint draft resolution by Brazil, El Salvador and the United States (A/C.4/L.257), according to which the Committee would decide to postpone consideration of the question until the eighth regular session of the Assembly; request the Ad Hoc Committee on South West Africa, established by General Assembly resolution 570 A (VI), to continue on the same basis as stated in that resolution; and further request the Committee to report to the General Assembly at its eighth regular session.

Presenting the three-Power draft, the representative of Brazil stated that it was considered that more time was required for the examination and settlement of the question. Moreover, the report of the Ad Hoc Committee did not advance proposals sufficiently precise and concrete for a brief consideration of the question to be of any real value. He felt that immediate discussion of the question might even jeopardize the success of the negotiations.

The representative of Thailand, Chairman of the Ad Hoc Committee, stated that the wisdom of the three-Power proposal was all the more apparent since the head of the South African delegation had stated in a letter addressed to the United Nations that if the Fourth Committee saw fit to extend the mandate of the Ad Hoc Committee, his Government would undertake to collaborate with the Committee with a view to reaching an agreement on the matter. The repre-

sentative of the Union of South Africa confirmed that his Government thought that consideration of the questions in dispute should be continued.

The representatives of the Dominican Republic and Guatemala expressed the view that the resolution contained a practical proposal.

The representative of the USSR, on the other hand, recalled that the United Nations had been concerned with the question of South West Africa for seven years. To postpone consideration for yet another year would further prejudice the International Trusteeship System, whose principles the Union of South Africa had disregarded in this matter, and weaken the relevant provisions of the Charter.

Yugoslavia submitted an oral amendment to the three-Power draft, which would advance consideration to the second part of the seventh session of the General Assembly, but this was rejected by 22 votes to 12, with 4 abstentions.

During the debate, the Committee was informed by the Chairman that three letters from the Reverend Michael Scott addressed to him, one of which was dated 7 December and two dated

15 December, would be referred for consideration to the Ad Hoc Committee, if this Committee were renewed. In the first of those letters, Mr. Scott set forth his interest in the question of South West Africa and offered to make an oral submission, if the Fourth Committee so wished, when it came to discuss the item.

The Fourth Committee adopted the three-Power proposal for postponement and the continuation of the Ad Hoc Committee by a roll-call vote of 27 to 8, with 5 abstentions, and this resolution (A/2336) was adopted, without discussion, by the General Assembly at its 409th, plenary meeting on 20 December 1952, by 45 votes to 2, with 8 abstentions (resolution 651 (VII)). It read:

"The General Assembly

"Decides to postpone consideration of the question of South West Africa until the eighth session of the General Assembly, and requests the Ad Hoc Committee on South West Africa, established by General Assembly resolution 570 A (VI) of 19 January 1952, to continue on the same basis as stated in that resolution and further requests the Committee to report to the General Assembly at its eighth session."

C. CONDITIONS IN TRUST TERRITORIES IN THE PACIFIC

During its tenth session, held from 27 February to 1 April 1952, the Trusteeship Council examined annual reports submitted by the Administering Authorities on the administration of each of the four Trust Territories in the Pacific: Nauru, New Guinea, Western Samoa and the Trust Territory of the Pacific Islands.¹⁸ These reports covered the administration of these Territories during the year 1950-51, except in the case of the report on Western Samoa, which covered the last nine months of 1950. Observations (T/962) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on these reports were considered by the Council in connexion with its examination of educational conditions in each of the four Territories.

Only one petition—from New Guinea—relating to Trust Territories in the Pacific area was examined by the Council during 1952.

Arrangements for a second Visiting Mission to Trust Territories in the Pacific in 1953 were made by the Council during the second part of its eleventh session, held from 19 November to 3 December 1952. At its 456th meeting on 19 November, the Council decided that one Mission, composed of representatives of the Dominican Republic, France, Syria and the United King-

dom, should visit all four of the Territories. The Mission should leave Headquarters about the middle of February 1953, the Council decided, and return about the middle of May. Approving the nominations of the above Governments, the Council on 20, 24 and 25 November appointed Enrique de Marchena (Dominican Republic) as Chairman of the Mission and Leon Pignon (France), Najmuddin Rifai (Syria) and W.A.C. Mathieson (United Kingdom) as members of the Mission.

By resolution 642 (XI), adopted on 24 November 1952 by 10 votes to none, with one abstention, the Council directed the Mission:

(1) to investigate and to report as fully as possible on the steps taken in the Territories towards the realization of the objectives set forth in Article 76 b of the Charter;¹⁹ (2) to give attention, as might be appropriate in the light of Council and General Assembly resolutions, to issues raised in connexion with the annual reports, petitions and the first periodic Visiting Mission's reports relating to these Territories and the observations of the Administering Authorities on that Mission's reports; (3) to accept petitions and to investigate on the spot, in consultation with local representatives of the Administering Authority concerned,

¹⁸ See chart on the examination of annual reports, pp. 746-47.

¹⁹ See p. 17.

such of these petitions as, in its opinion, warranted special investigation; (4) to examine, in consultation with the Administering Authorities, the measures taken and to be taken with respect to the provision of information about the United Nations to the peoples of the Trust Territories under the Trusteeship Council's resolution 36(III) of 8 July 1948²⁰ and to investigate on the spot the best means of disseminating such information as requested in its resolution 311 (VIII) of 7 February 1951.²¹ Finally, the Council requested the Mission to report by 10 June 1953 on its findings, with such observations, conclusions and recommendations as it might wish to make.

1. Nauru, Administered by Australia on Behalf of Australia, New Zealand and the United Kingdom

Nauru is an isolated island with a total area of 5,263 acres, 4,116 of which contain the phosphate deposits which give the island its importance. As of 30 June 1951, according to the Administering Authority's annual report,²² Nauru had a population of 3,434, of whom 1,618 were Nauruans, 1,411 Chinese, 274 Europeans and 131 Gilbertese.

a. POLITICAL DEVELOPMENT

An Administrator, under the authority of the Government of Australia, has full powers of legislation, administration and jurisdiction. He is assisted by an administrative staff, which on 30 June 1951 consisted of 302 employees: fourteen Europeans, 250 Nauruans, eight Gilbertese and 30 Chinese. The training of Nauruans for higher administrative positions has in the past been recommended by the Trusteeship Council, and the Administering Authority stated in its report that courses of students receiving education outside Nauru were selected with this in view.

The Administering Authority reported that its plan, welcomed by the Trusteeship Council in 1951, to reconstitute the Council of Chiefs into a nine-member body with increased powers had been put into effect under an Ordinance enacted by the Administrator on 20 August 1951. The new Council, the Nauru Local Government Council, retains the power to advise the Administrator on any matter affecting Nauruans. In addition, it was granted the power, subject to existing laws and to the approval of the Administrator: to make rules for regulating the conduct of its business and for the peace, order and welfare of the Nauruans; to organize, finance or engage in any business or enterprise; to carry out works for the benefit of the Nauruans; to provide

public or social services; and to charge for its services. The Ordinance provides that members of the Council be elected by universal adult suffrage and secret ballot for a term of not more than four years rather than for life as before. During its tenth session, the Trusteeship Council was informed that the first election was held on 15 December 1951. A Nauru Local Government Council Fund was also established by the Ordinance. Expenditures from this Fund, if not otherwise covered by money received by the Council, are to be met by transfers from the Nauru Royalty Trust Fund.

The Trusteeship Council commended the Administering Authority on the reconstitution of the Council of Chiefs. It also expressed the hope that full information on the new Council's operations would be included in the next annual report.

b. ECONOMIC DEVELOPMENT

The economy of Nauru is almost entirely dependent on the phosphate industry. On 30 June 1951, according to the Administering Authority's report, the industry employed 111 Europeans, 1,381 Chinese and 105 Nauruans. The industry is controlled by three Phosphate Commissioners appointed by Australia, New Zealand and the United Kingdom.

As of 30 June 1951, the British Phosphate Commissioners held under lease 1,169 acres of phosphate-bearing land and 186 acres of non-phosphate land; corresponding figures the year before were 1,125 and 154, respectively. Except for small areas owned by the Administration and missions, all the land is owned by Nauruans. To lease phosphate-bearing land, the Phosphate Commissioners must pay the landowners a lump sum of £45²³ an acre, in addition to royalties, and for other land, which may be leased with the approval of the Administrator, they pay an annual rent of £3 an acre. Of the island's total acreage of phosphate-bearing land, 602 acres

²⁰ See Y.U.N., 1947-48, pp. 733-34.

²¹ See Y.U.N., 1951, p. 789.

²² Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of Nauru from 1st July, 1950 to 30th June, 1951 (Sydney, 1951). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Tenth Session (27 February-1 April 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/-2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

²³ All figures in this section are given in Australian currency: £A125==£sterling100 = \$US280.

are unworkable. Of the 3,514 acres of workable land, 582 acres had been worked or partly worked by 30 June 1951, as compared with 545 acres a year earlier. In the past, the Trusteeship Council has recommended studies to determine whether the island would remain habitable after the phosphate deposits are exhausted and to determine the possibility, among other things, of making use of worked-out phosphate land. In its report for 1950-51, the Administering Authority stated that it was still studying the question of the future of the Nauruans after the phosphate deposits are exhausted. It added, however, that investigations up to that time on making use of worked-out phosphate land indicated that this would not be practicable generally.

At its tenth session, the Trusteeship Council again expressed concern over the eventual exhaustion of phosphate deposits and maintained its earlier recommendation that the Administering Authority continue to investigate all possible alternative means of livelihood for the inhabitants, so as to secure a sound economic basis for their future.

The Administering Authority reported that 950,744 tons of phosphates, valued at £1,378,579, were exported during 1950-51, as against 1,009,266 tons, valued at £1,589,594, the year before. These exports, as in the past, went entirely to Australia or New Zealand. The report for 1950-51, like the previous one, contained the latest accounts of the British Phosphate Commissioners for Nauru and Ocean Island presented jointly rather than, as requested by the Trusteeship Council, information which would show the separate financial operations of the Commissioners with respect to Nauru and the actual prices received for phosphate as compared with world market prices.

Increases in phosphate royalties, as notified to the Trusteeship Council during its eighth session in 1951,²⁴ were put into effect on 1 July 1950, according to the Administering Authority's annual report. Accordingly, during 1950-51, the Phosphate Commissioners were required to pay royalties totalling 3s.7d. on each ton of phosphate exported: 2s.3d. to or on account of the Administration (Is. to meet ordinary expenses of the Administration; 9d. to repay a rehabilitation advance made by the Commissioners; and 6d. to repay their advance for Nauruan housing) and 1s.4d. to or on account of the Nauruans (6d. to the owner of the land; 2d. to a long-term trust fund for the benefit of landowners; 3d. to the Nauru Royalty Trust Fund created exclusively for the benefit of the Nauruans; and 5d. to the Nauruan Community Long-Term Investment Fund). In addition, for 1950-51, the Phosphate Commissioners increased from £12,000 to £24,000 the amount they paid each year in commutation of payments due with respect to customs duties and other charges of the Administration. This sum, together with royalties, brought the amount payable to or on behalf of the Administration and the Nauruans to £194,342 in 1950-51, as compared with £142,364 in 1949-50. Actual royalty payments to Nauruans or to the various Nauruan trust funds amounted to £55,268 in 1950-51, as compared with £44,045 the preceding year. The balance in the Landowners' Royalty Trust Fund increased by £11,924 to £124,005, and in the more recently established Nauruan Community Long-Term Investment Fund by £18,316 to £32,506. During the same period, the number of Nauruan depositors in the Savings Bank increased by 42 and the amount of net deposits by Nauruans by £874, as compared with increases of 91 and £6,949, respectively, the year before.

The Trusteeship Council had asked the Administering Authority in 1951 to consider further increasing those royalties payable for the benefit of the inhabitants. It was informed during its tenth session that the royalty rate was not determined by the price of the phosphate exported but by the financial requirements for the present and future needs of the Nauruan population. The Administering Authority also pointed out, in its report, that in 1920, when it purchased the deposits from the Pacific Phosphate Co., Ltd., the royalty payable to Nauruan landowners was one halfpenny per ton of phosphate exported, whereas the total royalties payable to or on behalf of Nauruans as of 30 June 1951 amounted to 1s.4d. per ton.

Territorial revenue during 1950-51, the Administering Authority reported, totalled £145,019, of which £137,138 was paid directly by the Phosphate Commissioners (£53,138 royalty, £24,000 commuted payment, £60,000 rehabilitation advance). Territorial expenditure amounted to £130,491, of which £23,160 was spent directly for the benefit of Nauruans. In addition, £8,048 was spent from the Nauru Royalty Trust Fund, principally for Nauruan education.

The Trusteeship Council had asked the Administering Authority in 1949 to study the question of replacing the capitation tax by an income tax. It was informed during its tenth session that an Ordinance had been passed to abolish

²⁴ See Y.U.N., 1951, p. 649.

the capitation tax, but that no substitute was being proposed. The Council expressed its satisfaction with the abolition of the capitation tax.

c. SOCIAL DEVELOPMENT

Most Nauruan men work for money wages either for the Administration or the Phosphate Commissioners. All the Chinese, who form a community almost the size of the indigenous population, are employed by the Phosphate Commissioners as tradesmen or unskilled workers and, to a small extent, by the Administration. Immigrant communities are permitted to settle only in areas specially prepared for them. Chinese labourers are hired under one-year contracts and, unless they are re-engaged, are repatriated when their contracts terminate. They are not permitted to bring their families to Nauru. Under the Chinese and Native Labour Ordinance, the basic labour legislation for the Territory, every contract for work in Nauru by Chinese, Nauruans and other Pacific Islanders must be made in the presence of and subject to the agreement of the Administrator. Labourers under contract are subject to penal sanctions, 20 Chinese having been convicted under the Ordinance during 1950-51, according to the Administering Authority's report.

Prior to its tenth session, the Trusteeship Council had noted disparities between wages paid to Nauruan, Chinese and European workers and had recommended increased wages for non-European workers. The Administering Authority did not include in its 1950-51 report figures on the basic wages of employees in the phosphate industry. However, it reported that the basic wages of Nauruan employees of the Administration amounted to £100 for 1950-51, an increase of £27 over the previous year, and that a further increase of £26 per year had been granted to such Nauruan employees effective 1 July 1951. It added that increases had also been granted to employees of the Phosphate Commissioners from the same date.

The review of the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance earlier requested by the Council had not been completed, the Administering Authority reported. The latter Ordinance, which the Administering Authority states is liberally interpreted, controls the movements of the indigenous inhabitants outside their own districts between 10 p. m. and sunrise and the movements of Chinese outside their location at all times. The Administering Authority reported that 26 Chinese

and six Nauruans were convicted under this Ordinance during 1950-51. The Council was informed, during its tenth session, that the Administrator of Nauru did not consider it practicable in existing circumstances to make any alterations in the Ordinance or in the procedure followed in its liberal interpretation. After examining the situation, the Council again asked the Administering Authority to consider further the modification of the Chinese and Native Labour Ordinance and the Movement of Natives Ordinance, with a view to removing the restrictions on the movement of Nauruans as well as Chinese.

The annual report stated that practical steps, as had been suggested by the Council, had been taken to discourage gambling in the Chinese community through the provision of additional amenities, including an extra free cinema show each week and increased sporting and recreational facilities. With respect to the Council's recommendations for admitting the families of Chinese workers to Nauru, the special representative of the Administering Authority explained to the Council in March 1952 that the position remained unchanged. The major difficulty in reaching a solution to the problem was that extra land would be required and that the Nauruan Head Chief, on behalf of the Nauruans, had expressed the view that there should be no further encroachment on the already limited land available for the Nauruans. The Council requested the Administering Authority to give close attention to further improving the social conditions of the Chinese workers, and particularly to studying the possibility of enabling them to be accompanied by their families.

The Administering Authority reported that the project for building 250 European-style houses for rental at nominal rates by Nauruans was completed during 1950-51 and a further programme for the erection of another 100 dwellings had begun. The completion of the first housing programme for Nauruans was noted with satisfaction by the Trusteeship Council.

Public health expenditures rose from £10,841 in 1949-50 to £19,712 during the year under review, according to the Administering Authority's report. The Staff of the Health Department increased from 25 to 27, new facilities were established, and X-ray and other equipment was installed. In 1950-51, public health facilities maintained by the Administration comprised a small general hospital for Nauruans, which treated 521 in-patients and 2,658 out-patients, three out-patient clinics, a leper station and a prophylactic clinic, a tuberculosis station, a quarantine

station, a dental clinic and a baby clinic. The two hospitals maintained by the Phosphate Commissioners, one for Europeans and one for Chinese, treated 685 in-patients and 3,940 out-patients during 1950-51. Among the patients treated in the Administration hospital, the most common diseases were leprosy (71 cases), bronchitis and bronchopneumonia (71), influenza (69) and tuberculosis (29). The representative of Australia stated at the tenth session of the Trusteeship Council that the Director of the Makogai Leper Settlement in the Fiji Islands had recently visited Nauru and made a report on the treatment of leprosy in the Territory. After noting the high rate of leprosy, the Council expressed the hope that the Administering Authority would include information concerning this investigation in its next annual report.

d. EDUCATIONAL DEVELOPMENT

Education is compulsory for Nauruan children between the ages of six and sixteen. No school fees are required. The cost of their education, both in Nauru and overseas, is charged against the Nauru Royalty Trust Fund and that for Europeans against the Administration's general funds, to which the salary of the Director of Education and other general expenses are also debited. According to the annual report, expenditure for the education of Nauruans increased from £4,470 in 1949-50 to £5,936 in 1950-51, and for the education of Europeans and for general purposes from £2,758 to £4,119.

As of 30 June 1951, the Administration conducted six primary schools for Nauruans, attended by 282 pupils; a special school at the leper station, attended by five Nauruans; a European primary school, attended by 44 Europeans and one Chinese; and a secondary school for Nauruans, opened during the year in temporary quarters and attended by 30 pupils. There was also one primary mission school, run by three sisters and attended by 93 Nauruans. The whole educational system is under the direction of a European, assisted by three European teachers and a staff of 27 Nauruans.

The Administering Authority also reported that eighteen Nauruan students were overseas. Of these, fourteen were in secondary schools in Australia, nine of them for training as teachers; two were in their final year at the Central Medical School at Suva, Fiji; and two were attending theological colleges in Australia.

The Trusteeship Council expressed the hope that the Administering Authority would give increased

attention to teacher-training. It also requested that a full account of secondary education be included in the next annual report.

2. New Guinea, Administered by Australia

New Guinea consists of approximately 600 islands with a total land area of about 93,000 square miles. According to the Administering Authority's annual report,²⁵ the indigenous population in 1950-51 numbered 1,094,014—811,714 enumerated and the balance estimated; the non-indigenous population consisted of 6,429 Europeans and 2,527 non-Europeans. The special representative of the Administering Authority informed the Trusteeship Council during its tenth session that in October 1951 the indigenous inhabitants and also the Chinese and other people born in New Guinea who were not British subjects had been given the status of "Australian protected person."

The Administering Authority reported that the area brought under administrative control by its policy of peaceful penetration by patrols had increased from 60,820 to 65,570 square miles during the year ended 30 June 1951. Of the remaining uncontrolled areas of the Territory, 9,252 square miles were under administrative influence, 3,530 square miles were under partial influence and 14,648 square miles had been penetrated by patrols. Noting that one of the major tasks facing the Administering Authority was that of bringing the whole of the Territory under its control, the Trusteeship Council expressed the hope that this would be accomplished by the end of 1954, as anticipated by the Administering Authority.

a. POLITICAL DEVELOPMENT

An administrative union between New Guinea and the adjacent Territory of Papua was established under the Papua and New Guinea Act, 1949-50,²⁶ and an Administrator appointed over

²⁵ Commonwealth of Australia, Report to the General Assembly of the United Nations on the Administration of the Territory of New Guinea from 1st July, 1950 to 30th June 1951 (Govt. Printer, Canberra, 1950). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council Official Records, Tenth Session (27 February—1 April 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

²⁶ For the Trusteeship Council's examination of this administrative union during 1952, see pp. 738-39.

the combined Territory. He is advised and assisted by an Executive Council appointed by the Governor-General of Australia and consisting in 1951 of eleven officers of the joint Administration.

Under the Administrator, eleven government departments provide administrative and technical services for the combined Territory of Papua-New Guinea. As of 30 June 1951, according to the Administering Authority's annual report, there were 1,581 classified positions in the public service, all tenable by Europeans; 1,280 of the positions were filled. Of the total, 413 were common to New Guinea and Papua, 774 were assigned to the Trust Territory and 394 to Papua. During 1951, a total of 9,655 indigenous inhabitants of New Guinea were also employed by the Administration. The annual report showed that the number employed by the Administration as general labourers decreased from 7,172 in 1950 to 5,757 in 1951, those employed in the police force from 1,544 to 1,246 and those employed as agricultural workers from 444 to 114, while the number employed as medical and hygiene orderlies rose from 735 to 1,145, those employed in clerical and allied positions from 135 to 397, and those employed as teachers and educational assistants from 101 to 137. In addition, 11,490 indigenous inhabitants had been appointed by the Administration as officials in villages as luluais (chiefs or headmen), tultuls (assistants to the luluais), and medical tultuls.

At its tenth session, the Trusteeship Council noted the progress made in employing indigenous inhabitants in certain of the administrative services of the Trust Territory. The Council, however, expressed the hope that the Administering Authority would intensify its efforts to train indigenous inhabitants for more responsible posts in the Administration and adopt a more vigorous policy of associating these inhabitants in the various aspects of territorial life.

The Trusteeship Council was informed during its tenth session that the joint Legislative Council provided for in the Papua and New Guinea Act, 1949-1950, had been inaugurated in November 1951. The Legislative Council's powers to make ordinances for the peace, order and good government of the Territory had until then been vested in the Governor-General. When the Trusteeship Council had earlier examined the Administering Authority's plans for establishing the Legislative Council, it had recommended, *inter alia*, both in 1950 and 1951, that in the proposed legislature the indigenous inhabitants be given increasingly greater participation, leading eventually to an indigenous majority. The special repre-

sentative of the Administering Authority stated during the tenth session of the Trusteeship Council that the Legislative Council consisted, as originally proposed, of 29 members—the Administrator, sixteen official members and twelve non-official members. Of the latter, three were elected European members and nine were nominated by the Administrator, three to represent the Christian missions, three the non-indigenous population and three the indigenous inhabitants. Of the last three, two were indigenous inhabitants of New Guinea. Ten of the 29 members were resident in the Trust Territory.

The Trusteeship Council noted that the appointment of the two indigenous members from New Guinea represented the first time that indigenous inhabitants had been members of an organ legislating for the Trust Territory. It again expressed the hope that the Administering Authority would endeavour to ensure further participation of indigenous representatives in the legislative system.

Local administration, under the District Commissioners, is based on the village, or group of villages, where authority is exercised on behalf of the Government by the luluais appointed by the Administration. The Administering Authority reported that four Native village councils (three in New Britain and one in the Manus District) had been established by 30 June 1951 under an Ordinance enacted in 1949, and it was planned to establish two or possibly more such councils. These councils are empowered to make rules for the maintenance of peace, order and good government and for the provision of social and public services; they may levy rates, taxes and charges. No advisory councils for Native matters, authorized under the Papua and New Guinea Act, had as yet been established, however. The Administering Authority stated that the formation of district and town advisory councils with a membership restricted to non-indigenous inhabitants had been approved during the year under review. Town advisory councils had been formed in the five larger towns by the end of June 1951 and a district council was to be formed in each district in the Trust Territory to advise on matters affecting the administration of the district.

The Trusteeship Council expressed satisfaction that a fourth Native village council had been established and that two further councils were expected to be set up soon. It recommended that the Administering Authority continue to press on with the establishment of such councils. It also asked the Administering Authority to report on the operation, in the light of the interests of

the indigenous inhabitants, of its policy of creating separate advisory councils for the indigenous and non-indigenous sections of the population. At the same time, the Council recommended that the Administering Authority consider appointing indigenous members to the various district and town advisory councils.

According to the annual report, no judicial tribunals composed exclusively of indigenous inhabitants are recognized as part of the judiciary of the Trust Territory. Village courts exist, but they operate exclusively within traditional custom. Under the Papua and New Guinea Act, the establishment of Native courts composed exclusively of indigenous inhabitants was authorized; these courts would supplement existing courts for Native affairs. The Administering Authority stated that it was considering the provisions of an ordinance and regulations to enable the establishment of the Native courts. Noting this, the Trusteeship Council urged the Administering Authority to take such action in the immediate future.

As requested in 1951 by the Trusteeship Council, the Administering Authority supplied information concerning the "Paliau movement" and the "cargo cults". The latter, the Administering Authority stated, were modern variations of an indigenous "cult tradition" which apparently existed before the coming of the Europeans and contact with the European way of life. The cult usually began by some member or members of the village claiming to have been in touch with ancestors and to have been told by them that great quantities of goods were being sent by steamer; in the expectation of this "cargo" the people might destroy their gardens and their pigs and poultry. As the ship failed to arrive, confidence in the leaders evaporated and the movement crumbled.

The Administering Authority observed that no definite connexion seemed to exist between these cults and the Paliau movement. As regards the latter, the Administering Authority stated that Paliau, a former sergeant in the New Guinea Police Force and a native of the village of Baluan, had blended some Christian dogma with elements of orthodox Native administration policy and had succeeded, between 1946 and 1950, in establishing a politico-religious cult affecting almost one-third of the 13,000 indigenous inhabitants of the Manus District. The Administering Authority reported that, following a "cargo cult" movement in 1946 in Baluan and nearby islands, which was found to be separate from Paliau's movement although involving some of his adherents, a

selected group of Natives, including Paliau, was taken to Port Moresby and advised there of the plans of the Administration for the economic, social and political development of the indigenous population. In May 1949, Paliau was appointed Luluai of Baluan. By November 1949, he had achieved a surplus of food supplies and markedly improved housing among his people.

In 1950, as the Trusteeship Council had earlier been informed, Paliau was convicted and imprisoned for six months on a charge of spreading false reports, which tended to cause trouble among the people, to the effect that he had the power to appoint magistrates. Since Paliau's return to Baluan, the Administering Authority reported, he had been most circumspect in behaviour; he had spoken of the need for literacy. More children were seeking admittance to the Administration school, and the people were being most co-operative.

The special representative of the Administering Authority later informed the Trusteeship Council that, during the last half of 1951, Paliau was elected as a member of the Baluan Village Council, in the Manus District, and then was appointed as Chairman of the Council and had carried out his duties intelligently and enthusiastically. However, he was convicted in October 1951 and sentenced to three months' imprisonment for an offence which concerned his personal morals and was in no way related to his public activities. When he was imprisoned, the Administration decided that upon his release no restriction would be placed on his continuation as Chairman of the Baluan Council or general participation in the affairs of the area.

b. ECONOMIC DEVELOPMENT

The main economic activities of New Guinea are crop production, some processing of agricultural products and gold mining. There are no major secondary industries. Desiccated coconut, production of which increased from 652 tons in 1949-50 to 939 tons in 1950-51, is the principal item manufactured; otherwise, the processing of crops is limited almost entirely to the cutting and drying of copra and the fermentation and drying of cocoa beans. New Guinea is dependent upon external sources of supply for practically all manufactured goods and for a large part of the foodstuffs consumed by non-indigenous inhabitants.

According to the Administering Authority's reports, both imports and exports increased during

1950-51, totalling £6,186,669²⁷ and £5,436,617, respectively. Exports of local origin showed an increase of £1,398,387 over the previous year, the principal contributing items being copra (£936,601), gold (£145,393), desiccated coconut (£95,024), trochus shell (£95,709) and cocoa beans (£60,934). Exports of copra, the main cash crop in the Territory, increased from 47,094 tons, valued at £2,264,114, in 1949-50 to 64,301 tons, valued at £3,200,715, in 1950-51. Copra continued to be marketed through the Australia-New Guinea Production Control Board. A nine-year agreement, effective 1 March 1949, between the United Kingdom Ministry of Food and the Commonwealth Government, provides for the sale to the Ministry of Food of all New Guinea copra in excess of the requirements of the Territory and of Australia for home consumption. The selling price is fixed under the agreement, which provides that it should not vary more than 10 per cent from one year to the next; for the first year the price was fixed at £60 f.o.b. New Guinea ports, for the second year at £60 12s.6d., and for the third at £67 3s.9d. A copra stabilization fund, created in 1946-47 by means of a levy of £5 per ton on exported copra, had an accumulated balance at 30 June 1951 of £1,202,409, the Administering Authority reported.

Gold is exported only to Australia. During 1950-51 the quantity of gold produced amounted to 87,593 fine ounces, valued at £1,356,962. The price of gold remained at £15 9s.10d. per fine ounce during the year. Fees for rights, licences and leases and a royalty of 5 per cent on all gold won are payable to the revenue of the Administration for the use and benefit of the Territory. The revenue derived from this royalty amounted to £67,844 in 1950-51. In its annual report, the Administering Authority stated that, as earlier recommended by the Trusteeship Council, it had considered the question of increasing the rate of royalty; but had decided to retain the existing rate. It also supplied information on production from the various gold-fields, on accidents on mining fields, and on mining by indigenous inhabitants. Recalling its previous request for as full information as possible concerning the gold mining industry, the Trusteeship Council at its tenth session asked the Administering Authority to provide in its next report detailed information on production costs and profits so that the Council could judge whether the industry was making an adequate contribution to the Territorial revenues. As an interim measure, the Council recommended that the Administer-

ing Authority consider introducing a sliding scale of royalties based on profit.

Territorial expenditure during the year amounted to £3,575,721 and internal revenue to £1,219,411; the balance was met by a non-repayable grant of £2,356,310 from the Australian Government. The Administering Authority reported that no income or business tax was levied. It further stated that the examination, in progress for some time, of all aspects of the Territory's fiscal policy was not yet concluded. The Trusteeship Council recommended that this examination be completed as soon as possible and noted the substantial grants made by the Administering Authority towards the cost of administering the Territory.

Both the Council and the General Assembly have in the past been concerned with the extent of participation of the indigenous inhabitants in the Territorial economy. With the exception of Native-produced copra, amounting to about 10,000 tons in 1950-51, the whole of the agricultural products exported are from plantations operated by non-indigenous inhabitants. Similarly, the majority of firms and companies engaged in mining, merchandising, shipping and air services are largely staffed by non-indigenous inhabitants of European ancestry. Chinese conduct store-keeping and trading establishments, tailoring and carpentry businesses. The Trusteeship Council was informed at its tenth session, however, that the number of indigenous inhabitants engaged in copra production was rapidly increasing. They were also beginning to grow cocoa and coffee and were showing a growing tendency to form co-operative societies. The Administering Authority referred to the Amele rice project, developed by community enterprise, and consisting in 1951 of 150 acres. It added that sales of rice had been made and rice-milling facilities were being purchased by community funds. Moreover, Native wage labour was used extensively on plantations, in mines and in domestic service.

The Administering Authority considered that the Territory's resources would be developed to some extent by the indigenous inhabitants, but it felt that for a considerable time the major development would be through industries controlled by Europeans who possessed the necessary capital, technical knowledge and skills, and organizing ability. The Administration's policy was to encourage development by private enterprise in so far as the rights and interests of the indigenous inhabitants were respected and safe-

²⁷ All figures in this section are in Australian currency: £A125 = £sterling100=\$US280.

guarded. Non-indigenous groups had no special position in the Territorial economy other than that acquired by their possession of high technical skill and greater financial resources, the Administering Authority assured the Trusteeship Council. The extent and tempo of economic development, it stated, was largely dependent on the availability of Native workers, whose employment in non-Native private enterprise would enable them to acquire experience and technological skill. The Trusteeship Council was informed that arrangements were being made for a physical resources survey of regions considered most suitable for economic development.

The Council expressed the hope that the Administering Authority's policy of encouraging development by private enterprise would not lead to its partial withdrawal from the direct responsibility for the Territory's development. The proposed physical resources survey, the Council recommended, should be expanded into an over-all economic survey as a basis for broad development plans and the Administering Authority should give particular emphasis in its development plans to indigenous participation in the Territorial economy. The Council commended the Administering Authority for its efforts to introduce new crops suitable for cultivation by the indigenous population. It urged the Administering Authority to pursue a co-ordinated policy along such lines, wherever possible, by encouraging the growth of indigenous co-operative enterprises, and also to take measures to enable the indigenous inhabitants to have access to adequate forms of credit for their economic development.

The Administering Authority's annual report revealed that, of the total land area, estimated at 59,520,000 acres, 940,262 acres had been alienated from the indigenous inhabitants by 30 June 1951, an increase of 24,458 acres over the year before. The alienated land comprised 519,380 acres of freehold, 170,222 acres of leasehold, 224,049 acres held by the Administration and 26,611 acres held in trust for the Natives. The Administering Authority stated that land generally belonged to the indigenous inhabitants and could be acquired from the indigenous owner only by the Administration after it was satisfied that the land was not necessary for the owner's own use. Since the availability of land for settlement was considered an important factor in the Territory's development, steps were being taken to determine the actual indigenous ownership of land and the further areas that could safely be made available for settlement. The Ad-

ministering Authority added that a Native Land Commission, provided for under the Native Lands Registration Ordinance, 1951, was to determine what land was the rightful and hereditary property of Natives or Native communities by Native customary right and who owned the land.

The importance of properly clarifying the land ownership rights of the inhabitants and the registration of those rights was recognized by the Trusteeship Council. Consequently, it recommended that the Administering Authority organize the Native Land Commission without delay. The Council also recommended that the Administering Authority exercise caution in its policy of purchasing and alienating indigenous land, in order to safeguard the interests of the indigenous population.

Describing transport and communications, the Administering Authority stated that air services, both within New Guinea and to and from Australia, had continued to improve; there were 61 aerodromes throughout New Guinea in 1951, as compared with 75 in 1950. A regular passenger and freight steamship service between Australia and New Guinea was also maintained. There were 1,980 miles of roads and 19,704 miles of bridle paths in the Territory, but heavy rains and frequent landslides made maintenance a problem and bridges were frequently damaged by the flooding of creeks and rivers. Although the nature of the country made road construction and maintenance both difficult and expensive, the Administering Authority recognized the effect of a fully developed road system on the development of the Territory. It reported that a steady programme of road construction was being followed and that the length of roads of all classes was increased by 49 miles during the year 1950-51. Expenditure on roads and bridges that year totalled £75,333. The Trusteeship Council, noting that only 49 miles of road had been built during the year, recommended that the Administering Authority intensify its efforts to develop the road system.

c. SOCIAL DEVELOPMENT

Among the developments in the social field during 1950-51 was the coming into force on 1 January 1951 of the Native Labour Ordinance, 1950. The last of the contracts of service concluded under the repealed 1946 Ordinance, which had provided for a system of indentured labour and penal sanctions for breach of contract, were to expire by the end of 1951. No such provisions were contained in the 1950 Ordinance. The new Ordinance provides for a system of civil

agreements between employers and workers. It also deals with the employment of casual workers, the movement of Natives beyond the Territory and general employment conditions. By 30 June 1951, the Administering Authority reported, the number of indentured workers had already been reduced by 4,723, although the total number of Native workers employed increased by 2,168. There were 34,419 Native workers employed in the Territory as of 30 June 1951.

The Administering Authority stated that with the opening up of the Western and Eastern Highlands Districts, an increasing number of Natives from that area were seeking employment; 5,363 were employed in New Guinea and 1,784 in Papua as of 30 June 1951. Although the supply of labour in the Trust Territory had shown steady improvement, it was still not equal to the demand. Reported shortages of labour were estimated in 1950-51 at 2,100 as compared with 8,000 in 1948-49. The wages paid indigenous employees were tabulated in the annual report. General labourers, privately employed under agreement, were shown as having an average wage of 16s. 3d. per month plus food, housing, clothing and equipment, which employers are required to provide. The Administering Authority acknowledged a request made in 1951 by the Trusteeship Council for detailed data on the relationship between real wages and the cost of living and stated that such information would be furnished when available.

Under the Papua and New Guinea Act, 1949-50, forced labour is prohibited except in such circumstances as permitted by the International Labour Convention concerning Forced or Compulsory Labour. The Administering Authority reported that regulations concerning these circumstances were amended during the year under review to provide for forced labour for food cultivation in an area liable to a famine or deficiency in food supplies. An amendment was also made to the Shipping Ordinance, 1937, to extend to Native seamen the provisions of another International Labour Convention for unemployment indemnity in case of loss or foundering of the ship.

The question of the status of Chinese residents in the Territory was again brought up during the tenth session of the Trusteeship Council. At its eighth session in March 1951, the Council had decided to postpone consideration of a petition (T/Pet.8/4 and Add.1) from the Chinese residents of Rabaul and Kavieng since an examination of the situation was being made at the time by the Administering Authority.²⁸ Meanwhile, the

petitioners submitted a further communication (T/Pet.8/4/Add.2) reiterating their request that Chinese who were non-permanent residents in the Territory be given the right of permanent residence and that the national status of locally born Chinese be clarified. Commenting on this petition, the Administering Authority stated (T/965) that locally born Chinese had been accorded the status of "Australian protected person" by an amendment made in October 1951 to the Citizenship Regulations. The question of the right of permanent residence, it informed the Council, concerned some 200 Chinese who had entered the Territory under immigration exemptions and who had been in the Territory for periods ranging from ten to eighteen years. They had been unable to return to their own country at the end of the expiration period because of the conditions existing both then and since brought about by war activities. The periods of exemption had been extended from time to time and were at present valid until June 1952. The whole position was being reviewed, the Administering Authority stated, and all factors, including the representations made by petitioners, would be taken into consideration.

On 26 March 1952, the Council adopted a resolution (428(X)) on the petition. It recommended that the Administering Authority grant further immigration exemptions to the 200 Chinese pending a decision on their applications for permanent residence. It also expressed the hope that the Administering Authority would complete its examination of the question without undue delay and asked to be informed of the results of the examination and of the action taken or being taken.

Under the Criminal Code of the Territory, a prisoner declared an habitual criminal may be detained after serving his prison sentence for a specific crime until such time as the Administrator considers him fit to be at large. The Administering Authority informed the Trusteeship Council, however, that there was no case on record in the Territory of a prisoner having been declared an habitual criminal. It reported that the legislation relating to habitual criminals had been examined, as recommended in 1949 by the Council, and was being amended to require a review of such cases at six-month intervals by the Supreme Court or a Supreme Court judge. With respect to the formal abolition of corporal punishment, repeatedly recommended by the Council and the General Assembly, the Adminis-

²⁸ See also Y.U.N., 1951, pp. 661-62.

tering Authority stated that corporal punishment had not been applied in the Territory since the end of the Second World War. The special representative informed the Council during its tenth session that amending Ordinances had been enacted on 13 November 1951 to reduce the number of offences for which corporal punishment could be given and in some cases to reduce the number of strokes. Noting this, the Council again recommended that corporal punishment be formally abolished.

Over-all medical services, according to the Administering Authority's report, increased by an estimated 25 per cent during 1950-51. Total expenditure on public health increased from £608,674 in 1949-50 to £868,972 (excluding expenditure on hospital buildings) in 1950-51. The number of indigenous inhabitants admitted to hospitals increased from 57,366 to 69,781. The number of hospitals and clinics increased from 424 to 599; there were also six established Administration infant and maternal welfare clinics and others on a part-time basis. There were 211 village aid posts staffed by 240 medical and hygiene assistants; the Administering Authority stated that the Native Village Councils had accepted financial responsibility for the wages of their assistants and it believed that this would encourage pride in social services and a more general desire to seek aid earlier. The Administering Authority reported that 31,461 Natives were treated during 1950-51 by European officers on medical patrols. In addition, there were 297 patrols by Native medical personnel. A 65-ton ship was converted for medical patrolling and vehicles were provided for clinic patrolling wherever roads allowed. The Administering Authority also drew attention to the special health projects undertaken in the Territory. These included: a study of depopulation in New Ireland, a medical survey in the Western Islands (Manus District), research on tuberculosis control by mass testing and inoculation, vaccinations against whooping cough, continued research programmes into the best methods for an anti-malaria campaign and for the treatment of tropical ulcers. The report showed decreases during the year, mainly due to resignations, in the number of Department of Public Health medical officers (from 35 to 30) and European medical assistants (from 71 to 58).

While noting the over-all increase in medical services, the Trusteeship Council expressed concern at the decrease in the number of European medical personnel and urged the Administering Authority to take all possible steps to increase

their number substantially. It also recommended that efforts to train indigenous medical personnel be intensified. The Council further urged the Administering Authority to institute a campaign of instruction in maternal and child welfare.

d. EDUCATIONAL DEVELOPMENT

Schools in the Territory are operated by the Administration and by religious missions subsidized by the Administration and inspected by Administration officers. Education is free but not compulsory. The Administering Authority reported that during 1950-51 the number of Administration schools had increased by fifteen to 65 and the number of mission schools by 97 to 2,407. The total number of pupils in schools of all kinds had increased from 67,385 in 1948-49 to 88,726 in 1949-50 and 90,809 in 1950-51. During the same three-year period, the number of teachers in Administration schools had increased from 119 to 191 and in mission schools from 2,421 to 2,948. Other developments during 1950-51 included the construction of eight school buildings and the establishment at Dregerhafen, near Finschhafen, of a multi-purpose educational institution incorporating a village higher school, a central school, a higher training institution for teacher-training, general education facilities for clerical and other posts and technical training, a Native women's class and a part-time school for European children.

Of the total number of pupils in 1950-51, the Administering Authority stated, 3,675 were in Administration schools and 87,134 in mission schools. The former included ten European primary schools (203 pupils), 34 village higher and other schools classified as elementary (2,034 pupils), seven higher elementary schools (670 pupils), and eight pre-vocational schools classified as secondary schools (367 pupils). Mission schools included 2,284 village schools (77,718 pupils), 93 intermediate schools (8,187 pupils) and 24 training schools (1,219 pupils). These schools represent the principal categories of Administration and mission schools in the Territory. Apart from the higher training centres, there is no secondary school in the Territory. In the case of European children, the Administering Authority stated, financial assistance was granted during 1951 to parents of approved students for secondary education in Australia.

The inadequacy of the number of available qualified teachers has in the past been recognized as a limiting factor in education by both the Trusteeship Council and the Administering Au-

thority. In its annual report, the Administering Authority stated that the European teachers in Administration schools were qualified teachers; of 49 such teachers in 1951, fourteen were teaching in the primary schools for European children and the rest in the Administration schools for indigenous and Asian children. Their salaries, according to the report, ranged from £354 for the lowest category of female education officer to £860 for the highest class of education officer, plus cost-of-living and territorial allowances. There were also 197 European teachers in the mission schools. A number of the indigenous teachers in Administration schools, the Administering Authority indicated, had received their education in schools in New Guinea before the war; refresher courses were being arranged where possible. Indigenous teachers, it stated, might be paid up to £16 per month, plus maintenance, and a higher-graded supervisory teacher might earn a maximum of £20, plus maintenance for himself and his family. The annual report showed that more indigenous teachers were being trained—90 at a higher training institution at Keravat, from which 34 teachers had graduated during the period under review and taken positions in Administration schools; and 26 were in their first year at the new education centre at Dregerhafen. The Administering Authority also stated that teachers' wives were being trained so that some might be used as teacher-assistants in general women's welfare work.

After examining educational conditions in the Territory, the Trusteeship Council urged the Administering Authority to intensify its efforts to build up an adequate educational programme for increasing the number of primary schools, establishing secondary schools as soon as possible, and instituting a scholarship system for indigenous inhabitants for secondary and higher education abroad. In view of the serious shortage of teachers, the Council recommended that the Administering Authority make every effort to expand teacher-training facilities and to take advantage of such facilities provided by the religious missions.

3. Western Samoa, Administered by New Zealand

On 31 December 1950, according to the Administering Authority's annual report,²⁹ the population of Western Samoa consisted of 74,663 Samoans, 5,866 part-Samoans possessing European status, 327 Europeans, 171 Chinese and 63 Melanians.

Formerly, the Administering Authority stated, the great majority of Samoans were British-protected persons, but, in accordance with the wishes of Samoan representatives, this status was changed to that of New Zealand-protected persons by the Western Samoa New Zealand Protected Persons Order, 1950. Domestically, however, the inhabitants of the Territory remained divided into the categories of "Samoan" and "European" with respect to certain parts of municipal law. Under prescribed conditions, individuals may petition the High Court of Western Samoa for a change of status. By 31 December 1950, the Administering Authority reported, this Court had declared 553 former Samoans to be Europeans and 43 Europeans to be Samoans. The Administering Authority stated that it had so far been unsuccessful in its attempt to evolve a common domestic status for the inhabitants and thereby promote a unity of interest among all sections of the population based on their domicile in Western Samoa. It would, however, make further efforts in this direction. Recalling its earlier recommendations on the subject, the Trusteeship Council at its tenth session expressed satisfaction with the change in the international status of the inhabitants and urged the Administering Authority to continue to study the problem of evolving a common domestic status and to report on its results.

a. POLITICAL DEVELOPMENT

During 1950, the executive branch of Government remained entirely under the control of the High Commissioner, the Administering Authority reported. The High Commissioner is required by law to consult the Council of State, consisting of himself and the two Fautua (the highest Samoan chiefs), on all proposals for legislation to be submitted to the local Legislative Assembly and on all questions relating to Samoan customs. He is also advised by the Fono of Faipule, a traditional Samoan body com-

²⁹ 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 period of nine months from 1st April to 31st December, 1950 (Wellington, 1951). The report was limited to nine months, the Administering Authority explained, to give effect to a change in the Government's financial year to coincide with the calendar year; future reports, it stated, would cover a full year. For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Tenth Session (27 February-1 April 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

posed of 41 members elected from the traditional districts and sub-districts of Western Samoa by the matai, the title holders or family heads who constitute about one-fourth of the adult male population. The Fono of Faipule has the statutory right to express opinions and make recommendations to the High Commissioner on any matters concerning the welfare of the Samoan people. In its report the Administering Authority stated that it and the Samoan Government were considering the establishment of an executive council in Western Samoa, as recommended in 1951 by the Trusteeship Council. During its tenth session, the Trusteeship Council was informed that the Administering Authority intended to make legislative provision during 1952 for setting up such a council. Noting this, the Trusteeship Council expressed interest in receiving information on this action and on the composition and powers of the proposed council.

The Legislative Assembly, which is composed of the Council of State, twelve Samoan members elected by the Fono of Faipule, five elected European members and five official members, has the power to enact legislation on all purely domestic matters, subject to the High Commissioner's assent on all ordinances and his recommendations on all financial legislation. According to the Administering Authority's report, the Assembly held two sessions during 1950; it discussed, amended and approved the estimates for the financial year and passed thirteen ordinances, all of which were assented to by the High Commissioner. The Administering Authority observed that, as the year before, the Assembly had shown a conservative tendency in public spending and that the government accounts had been thoroughly examined. Reference was also made to the valuable part played by elected members in the general debates.

The special representative of the Administering Authority informed the Trusteeship Council during its tenth session that elections for the Legislative Assembly had been held in April 1951 and had resulted in an increase in the proportion of younger men in the Assembly. He stated that in electing the Samoan members, the Fono of Faipule had, in the case of contested seats, for the first time voted by secret ballot. This had led the Administering Authority to the belief that this method of election might become firmly enough entrenched in Samoan thought to be considered for fairly general adoption.

In its report, the Administering Authority had pointed out that it was aware of the advantage of introducing some form of universal

suffrage in the election of members of both the Fono of Faipule and the Assembly, but that it did not wish to impose prematurely on the Samoans a system foreign to their customs and traditions. It felt that the principle of universal suffrage would be accepted only through political education, perhaps over a long period. However, the special representative of the Administering Authority later informed the Trusteeship Council of a change of feeling on the part of a section of the population. He explained that the first Samoan political party, known as the Samoa Democratic Party, had been formed following the election of the Legislative Assembly. Claiming a membership of some 300 Samoans, this party aimed at securing electoral changes which would permit the election of the Samoan members of the Assembly from the matai group by all Samoans over 21, and the extension of Samoan representation to 41 members, thus removing the need for the Fono of Faipule.

The use of the secret ballot by the Fono of Faipule and the election of an increasing number of younger men to the Assembly were viewed with approval by the Trusteeship Council. While noting the attitudes of the Samoan people towards universal suffrage, the Council recommended that the Administering Authority give constant attention to educating the Samoans toward a realization of the place of universal suffrage in a system of democratic self-government.

Commenting on the report of the Commission of Enquiry into the organization of district and village government in Western Samoa in 1950,³⁰ the Administering Authority stated that this report, copies of which were provided to the Trusteeship Council (T/941 and T/L.121), would require careful examination because of the complexity of its recommendations and the administrative difficulties of establishing the machinery envisaged. The special representative later added that to adopt the recommendations in toto would be to crystallize Samoan custom and enshrine it in law at a time when its natural fluidity and susceptibility to change needed to function to the maximum. The Trusteeship Council asked to be informed of any decisions and developments in the field of local government and expressed the hope that progress would be made, in particular, towards devising a form of local government for the urban area of Apia.

The Council also expressed the hope that the Administering Authority would continue to bear in mind, with regard to all constitutional de-

³⁰ See Y.U.N., 1951, p. 666.

velopments, including the establishment of the proposed Executive Council, the importance of ensuring ample opportunity for the adaptation of traditional Samoan concepts to the requirements of representative self-government.

The special representative informed the Council that the contemplated regrading of the Public Service of Western Samoa had been completed and, as a result, the salaries for most positions had been considerably increased. At the end of 1950, according to the Administering Authority's report, the Public Service employed 1,164 persons, of whom 76 were recruited overseas and 1,088 locally. The total represented an increase of 98 since March 1950, due in part to the fact that all 67 employees of the New Zealand Reparation Estates except the General Manager had been included in the Public Service. The report stated that by the end of 1950 Samoans or part-Samoans were the principal officers in three Departments and four young Samoans who had completed scholarship courses in New Zealand had joined the government service on their return to Western Samoa. The reorganization and regrading of the Public Service was noted with approval by the Trusteeship Council, which urged the Administering Authority to continue its efforts to provide training, both locally and in New Zealand, for administrative personnel.

b. ECONOMIC DEVELOPMENT

Western Samoa is predominantly an agricultural country. The great majority of Samoans are engaged principally in growing food and catching fish for local consumption. Samoan growers also produce over 90 per cent of the principal export, copra, about 41 per cent of the cocoa, the next crop of commercial importance, and 95 per cent of the bananas. The marketing of these commercial crops is carried out partly by governmental contractual arrangements and partly through the open market.

According to the Administering Authority's report, copra exports declined from 16,455 tons in 1949 to 13,917 tons in 1950. This decline it attributed to the unavailability of shipping rather than to a slackening of production. The entire crop was sold to the United Kingdom Ministry of Food under a nine-year contract concluded in 1949. For 1950, the Administering Authority indicated, the price of copra was fixed at £48 10s.³¹ per ton f.o.b. Apia, £2 5s. of this being paid into the Copra Stabilization Fund. The price for 1951 was raised to £53 15s. and for 1952, according to information supplied to the

Trusteeship Council at its tenth session, to £65. There was also a reduction in the cocoa harvest, due to seasonal conditions, and exports in 1950 totalled 1,880 tons as compared with 2,894 tons the year before. Banana exports, on the other hand, increased from 87,121 cases in 1949 to 97,357 in 1950. Total exports during 1950 were valued at £1,303,761, slightly less than in 1949, while imports, totalling £1,095,121, showed an increase of over £200,000.

Commenting on the question of abolishing the preferential customs treatment accorded since 1920 to British goods imported into Western Samoa (customs duties of 11 per cent ad valorem in their favour), the Administering Authority stated that it had ascertained that the removal of this preference was not likely to disrupt the economy of Western Samoa or disturb the pattern of its trade. Before any change could be made, however, it was necessary to consider carefully the practical effect of the removal of the preferential tariff on the obligations undertaken by the Territory to other countries. The Trusteeship Council indicated that it looked forward to receiving a report on the action which the Administering Authority might take in the matter.

According to information supplied by the Administering Authority to the Committee on the Rural Economic Development of the Trust Territories (T/AC.36/L.32), Western Samoa has a land area of 725,000 acres, of which an estimated 55 per cent is wasteland. Of the total, about 565,640 acres are held by Samoans, 40,000 acres by Europeans and missions and 119,360 acres consist of Crown land. The Crown land includes 75,360 acres forming the New Zealand Reparation Estates, the most important plantation enterprise in the Territory; it consists of land formerly held by Germans and acquired by the New Zealand Government as reparations after the First World War. The uncultivated land in the Territory consists of about 24,000 acres of lava fields and 578,409 acres of rain forest. Of the remaining 122,591 acres, which are under cultivation or used for grazing, the Administering Authority estimated that the New Zealand Reparation Estates held 12,619 freehold and 2,000 leasehold, Samoans 80,472, Europeans 2,500 leasehold and Europeans and missions 25,000 freehold.

The Administering Authority reported that the increasing population had led to a degree of population pressure along the northern coast of Upolu. It noted, however, that the opening up of new areas for settlement as a result of pro-

³¹ Figures in this section are given in New Zealand currency: £NZ100 = £sterling 100 = \$US280.

gress in road construction and its policy of granting Crown land to congested villages had offered some relief. Nevertheless, due to the annual population increase of nearly 4 per cent, the problem of population pressure was likely to continue. In its report, the Administering Authority stated that toward the end of 1950 it had decided to offer about 43,000 acres of the Reparation Estates, not required for operation, to the Samoan Government. The Trusteeship Council was later informed that the transfer of 41,615 acres had been completed during 1951 and that there was a long-term plan for gradually transferring land in the Apia area to allow for the orderly expansion of the town. After noting with satisfaction the transfer of Estates land and the Administration's long-term plan for Apia, the Trusteeship Council expressed the hope that further transfers of land would be made to meet the needs of the Samoans whenever population pressure required.

The Administering Authority's report revealed an increased tempo in the economic development of Western Samoa during 1950. A census of the Territory's agriculture had been completed, a survey of forestry resources made, a new hydro-electric plant brought into operation, road-construction continued, a report on the development of harbours completed and work begun on the harbour facilities at Apia. Progress had also been made by the re-established Department of Agriculture. Moreover, the Administering Authority indicated, the work of the South Pacific Commission, which co-operated closely with the Samoan Government during 1950, promised to assist greatly in the Territory's economic advancement.

Further developments were referred to by the special representative during the tenth session of the Trusteeship Council. To supplement the existing power supply, an additional electric unit had been ordered and was expected to be in operation by May 1953. In addition, recommendations had been made for the construction of another hydro-electric plant which would increase the total capacity of the Territory's electric plants to 1,730 kilowatts. Completed road construction of all types totalled 245 miles and work on two bridges had started. Water supply systems had been installed for two villages and extended in two others and pipes had been ordered for ten additional projects. The progress made in the use of water resources for hydro-electric development was noted by the Trusteeship Council, which expressed the hope that similar progress would be made in providing piped water supplies to rural villages.

The special representative also informed the Council that the possibility of requesting technical assistance from the United Nations in undertaking a general economic survey of the Territory had been considered, but that the plans for this survey were still being formulated and no formal request for assistance had yet been made to the United Nations. While noting the progress already made in the economic development of Western Samoa, the Council considered that the continuing population pressure emphasized the need for expanding and diversifying the Territory's economy. Accordingly, it urged the Administering Authority to proceed with the contemplated general economic survey, including a land and soil survey.

With respect to the financial position of Western Samoa, the Administering Authority reported that the accumulated surplus of public funds increased from over £300,000 in 1946 to £733,624 at the end of 1950, held mainly in investments in New Zealand. For the nine months ending 31 December 1950, revenue totalled £471,087 and expenditure £444,202, the principal fields of expenditure being public works (£160,628), public health (£93,667), and education (£74,197). Import and export duties, which constitute the most important source of public revenue, yielded £196,681 and £94,683, respectively. The store tax or tax on the gross selling price of goods, the principal direct tax, yielded £65,789, and a salary tax applying to incomes over £200 yielded £4,960; other direct taxes are licences and fees, the building tax, water rates, the amusement tax and stamp duties. During the Trusteeship Council's tenth session, the special representative stated that the Finance Committee of the Legislative Assembly had in principle supported the replacement of the salary and store taxes by an income tax. Further information on a number of details was awaited before beginning the task of drafting legislation to bring about the desired revision of the tax laws. The Trusteeship Council, considering that taxation policy should be based on wide considerations of national income, future economic possibilities and population trends, expressed the hope that proposals for revising the tax structure would not be unduly delayed.

c. SOCIAL DEVELOPMENT

The Administering Authority stated that it aimed at social development mainly in the fields of public health, nutrition and improved infant care, and that increases in trained staff, investigations of dietary conditions, continued en-

couragement of the women's village committees and improved educational facilities were its chief means of achieving these ends. It considered it unwise to set up a huge social services machine, the cost of which would be beyond the economy of the Territory when it achieved self-government. It pointed out that the Samoans themselves were aware of the dangers of this course and had consistently been against subsidies from New Zealand for other than capital development. Commenting on the prudence of the Samoans, the Trusteeship Council nevertheless considered it desirable that they be encouraged to avoid a static conception of government expenditure. It urged that they be encouraged to ensure that the expenditure on social services reflected the continuing prosperity of the Territory.

Although no family living studies had been carried out in the Territory, the Administering Authority reported that the agricultural census, which was being tabulated, should help to determine the living standards of the people. It also stated that the Public Service Commissioner was carrying out a study of the cost of living in the Territory, mainly to guide him in assessing salaries and allowances in the public service; it was thought, however, that this study would be of value in assessing trends in living costs generally. The Trusteeship Council requested that a report on the results of these enquiries be included in the next annual report.

On 30 October 1950, according to the Administering Authority's report, the working week for casual labour in the public service was reduced from 44 to 42 1/2 hours per week. The Administering Authority stated that a further reduction in 1951, to 40 hours, was proposed, together with an increase in the minimum rate of pay from 10d. to 1s. per hour. Referring to the Council's earlier recommendation that elementary social legislation, including labour legislation, be introduced as soon as possible, the Administering Authority again explained that the Territory lacked administrative facilities to ensure that labour laws were observed and added that the maintenance of a special administration and the enactment of precise labour legislation was unnecessary due to the small proportion of the population depending on wages. It stated, however, that, as a result of an investigation into labour conditions in 1950, a comprehensive system of workers' compensation should soon be established. It later informed the Trusteeship Council, during the tenth session, that a draft ordinance on this subject was under consideration by the Government of New Zealand.

The most prevalent diseases in Western Samoa are hookworm, yaws, filariasis and diseases resulting from faulty sanitation. Tuberculosis is also a major problem and chest diseases, such as pneumonia, are common. In its report, the Administering Authority indicated its awareness of the necessity for intensified measures to combat tuberculosis. It reported that a 60-bed tuberculosis ward at the Apia Hospital was nearing completion and stated that a research team from the South Pacific Commission sent to the Territory had studied methods of treatment and problems connected with the incidence of the disease. Another team had been sent to study yaws and hookworm.

Describing the medical facilities in the Territory, the Administering Authority reported that the rebuilding of the hospital at Apia, the central unit in the medical services, had been proceeding according to schedule; in 1950, a 30-bed women's ward was opened. There were thirteen "district dispensary hospitals". District facilities were being consolidated, expanded and modernized and were to comprise a main district hospital in each of five medical districts, with smaller dispensary hospitals as subsidiaries; the costs of constructing and equipping the new hospitals were being shared by the Government and the districts. A third mobile clinic was being established. These clinics visit the more readily accessible villages. The Administering Authority reported that in the nine months ending 31 December 1950, a total of 4,261 in-patients and 149,323 out-patients had been treated at hospitals and dispensaries, an increase over the previous full year. The Administering Authority felt that this increase, mainly due to out-patient visits, illustrated a growing confidence in modern medicine. The total medical staff had increased from 121 to 134 by the end of 1950.

The Administering Authority reported that the South Pacific Health Service, with which it was associated, now maintained a pool from which medical officers for the Territory were supplied. Moreover, the special representative informed the Trusteeship Council during its tenth session that legislation was passed in 1951 providing that a person, although not registered in New Zealand or the United Kingdom as a medical practitioner, might be appointed a medical officer if the Medical Council of New Zealand certified that he had attained a standard of practice equivalent to that required for registration in New Zealand.

The Trusteeship Council expressed its gratification at the increase in the total medical staff and at the passage of legislation which had enabled the Territory to recruit more medical

officers. It also noted the progress made in providing facilities for tuberculosis treatment and expressed the opinion that the Administering Authority should seriously consider the institution of an educational campaign to impress upon the Samoans the seriousness of the disease.

d. EDUCATIONAL DEVELOPMENT

The Administering Authority reported continued progress in its educational development plan, growing enthusiasm for education on the part of the pupils, teachers and Samoans in general, and commendable work by community leaders in supporting the school building programme.

Education in Western Samoa is provided by the Government and the five religious missions which are active in the Territory. Many children attend both mission and government schools. At the village school level, government and missions were progressing towards a unified system and a common syllabus, the Administering Authority indicated. It added that the Government and the five missions co-operated closely in the field of education and that the Education Department has assisted mission schools through educational broadcasts, the provision of text-books and refresher courses for teachers. Until the Samoan Government was itself able to provide a system of universal education, however, the Administering Authority stated, it would enlist the co-operation of missions only with respect to questions of organization, staffing and curricula.

According to the Administering Authority's report, 23,331 were enrolled in mission schools in 1950, including 14,937 listed as not also attending government schools. Mission schools comprised 345 elementary-type schools run by pastors or catechists, five theological colleges, 40 primary schools and four secondary schools. They had 1,002 teachers, of whom 86 were Europeans, 369 Samoan pastor teachers and 557 Samoan lay teachers.

The government education system comprised 114 schools, 399 teachers and 13,899 students during the last nine months of 1950. Most of the pupils, 12,637, attended the 105 village primary schools, and 1,060 pupils, including 620 at European primary schools, attended more advanced types of primary schools. The one post-primary school was attended by 40 students. There were also 119 students in training as teachers. The increase in the total teaching staff, which numbered 358 in 1949, included an increase from 304 to 340 in the number of Samoan teachers. Evening classes in general and commercial subjects continued to be held at the adult night

school, which had an enrolment of 43 men at the end of 1950, a decrease of 33 during the nine months under review; seven students from the school had passed the Samoan Public Service examination, the Administering Authority indicated. Developments in adult and community education included the publication of a weekly newspaper, *Samoa Bulletin*, the first issue of which appeared in November 1950.

The Administering Authority reported that funds had been made available for the proposed Samoa college near Apia and that construction had begun on a 130-acre site. It later informed the Trusteeship Council, during the tenth session, that this college was nearing completion and that one wing was expected to be ready for occupation in the middle of March 1952.

Apart from the training of teachers and the proposed Samoa college, no formal education on a level higher than the post-primary school was provided by the Government within the Territory. From 1945 to the end of 1950, however, the New Zealand Government's scholarship scheme had enabled 69 Samoans and part-Samoans from both government and mission schools to continue their education in New Zealand. At the end of 1950, according to the Administering Authority's report, five of these students had returned to Western Samoa and 41 were still enrolled in preparatory and secondary schools; the others had completed their secondary education and all except two had proceeded to specialized training. In addition, three Samoan medical practitioners had finished their training at the Central Medical School in Fiji and four more entered training. Three students were being trained as fully qualified nurses and suitable scholarship pupils in New Zealand were being encouraged to study for New Zealand qualifications as medical and dental officers. In addition, five Samoan students with medical scholarships had entered the Central Medical School in Fiji during the nine months under review, making a total of seventeen in training there, four of whom were in their final year. The Administering Authority also reported, with respect to higher education, that it was studying the recommendations resulting from the South Pacific Commission's investigation of vocational-training facilities in the South Pacific, the future requirements of individual territories, and the means by which these requirements might be met.

After examining educational conditions in the Territory, the Trusteeship Council asked the Administering Authority to consider a long-term educational programme which would take into

account the level of recurrent costs which can be borne by the Territory in relation to the growth of the school population and the Territory's prospective general revenue. It also suggested that a more closely integrated school system be considered. In this connexion, the Council, noting the progress in the construction of Samoa college, expressed its opinion that the Administering Authority should intensify its efforts to improve secondary education facilities and to provide more scholarships for overseas study.

The expansion of adult and community education was viewed with interest by the Council, but, in view of the decreased enrolment in the adult night school, the Council urged the Administering Authority to do everything possible to stimulate interest in the available adult education 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). It contains 96 distinct island units with a combined land area of about 687 square miles. On 30 June 1951, according to the Administering Authority's annual report³², the indigenous population totalled 55,730, three-fifths of whom lived on the six principal island units: Saipan, the Palaus, Yap, Truk, Ponape and Majuro.

The Administering Authority reported that the United States Congress had as yet taken no action on the proposed organic act for the Territory. Meanwhile, the indigenous inhabitants continued to be described unofficially as "Citizens of the Trust Territory". Temporary headquarters of the Territory were located at Honolulu, in the Non-Self-Governing Territory of Hawaii, the Administering Authority stated, pending the selection of a suitable site within the Trust Territory. During its tenth session, the Trusteeship Council was informed that the Administration had made plans to locate the capital within the Trust Territory but a final decision had not yet been made; it would then be faced with the problem of constructing buildings and providing the services needed to house the capital. The Trusteeship Council recommended that the Administering Authority's efforts to secure the final enactment of an organic act for the Trust Territory and its decision to locate Administration headquarters within the Territory be expedited.

The Administering Authority further informed the Council that it was studying the question of applying to the Territory the provisions of all appropriate international treaties, conventions and agreements to which it was a party. Noting this, the Council expressed the hope that the Administering Authority would earnestly pursue this study and report on its progress.

a. POLITICAL DEVELOPMENT

In its report, the Administering Authority stated that all powers of government and jurisdiction and final administrative responsibility over the Trust Territory are vested in the High Commissioner. He was subject to the direction of the United States Secretary of the Navy until 1 July 1951, when administrative responsibility for the Territory was transferred from the Department of the Navy to the Department of the Interior. The Administering Authority observed that the timely substitution of civilian personnel for Navy personnel was the greatest problem involved in the transfer. To maintain continuity as far as possible, the Navy had agreed to release personnel on active duty in the Territory for employment with the Department of the Interior; seven officers and 39 enlisted personnel had been transferred to the new administration. Between February and June 1951 the majority of the Naval staff at headquarters and in the field had been gradually replaced by civilians.

In order to replace the services rendered by Naval vessels and planes, a contract to service the Territory had been awarded to a shipping line, and eight service craft, thirty small craft and seven cargo vessels had been transferred by the Department of the Navy to the Department of the Interior. The latter were to form a fleet as soon as they could be provided with civilian crews. A contract for air transport had also been awarded to an airline and four Naval aircraft had been transferred for service in the Territory. All Navy communications stations in the Territory and their equipment had been transferred to the Department of the Interior. On 1 July 1951 Navy post offices had been replaced with civil post offices by the United States Post Office Department.

³² United States, Department of the Navy, Report on the Trust Territory of the Pacific Islands for the period July 1, 1950, to June 30, 1951 (U.S. Govt. Printing Ofc., Washington, 1951, OPNAV P-22-100-M). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council Official Records, Tenth Session (27 February-1 April 1952); summaries of the observations of individual members are included in the Trusteeship Council's report to the Security Council (S/2599).

The United States Weather Bureau took over the operation of weather stations.

The special representative of the Administering Authority informed the Trusteeship Council during its tenth session that the transfer of administration had been accomplished with no disruption of the various public services, and the Council noted this with satisfaction. The special representative also stated that the transfer had been discussed with the indigenous inhabitants and they had co-operated fully in all aspects of the operation.

The Territorial Administration was now fully staffed by civilians and operating under civilian authority, the special representative observed. The staff was receiving constant training and was provided with technical instructions. According to the annual report, the detailed work of administration continued to be carried out by five Civil Administration Units with headquarters at Saipan (Northern Marianas), Koror (Western Carolines—Palau District), Truk (Eastern Carolines), Ponape (Eastern Carolines) and Majuro (Marshall). In addition to a Civil Administrator at each of the District Headquarters, four representatives of the Civil Administrators were located at Tinian, Yap, Kusaic and Kwajalein, islands some distance from civil administration headquarters. A total of 1,539 indigenous inhabitants were employed by the Civil Administration Units and the Central Pacific Insular Constabulary in 1951, an increase of 452 over the number employed by Civil Administration Units in 1950. The highest positions held by indigenous employees included those of supervisor, clerk, technician, administrative assistant, accountant, interpreter, medical practitioner and school principal.

Reporting on developments in self-government at the municipal level during 1950-51, the Administering Authority stated that a continually increasing number of municipal officials were elected by popular vote with a secret ballot. The municipalities are responsible for local law enforcement, particularly with regard to sanitation and education, for levying, collecting and expending local taxes, and for keeping financial and vital statistics records. Each municipality has at least two officers, an executive head or magistrate, and a treasurer; frequently, a council of elders serves as an advisory body to the magistrate. The Administering Authority reported that, of the 116 municipalities, 20 still preferred their hereditary chiefs as magistrates, fifteen had magistrates appointed by the Administration after consultation with chiefs and elders, and 81, thirteen more than in 1950, had elected magistrates. The Trusteeship

Council, after commending the Administering Authority, expressed the hope that it would intensify its efforts to replace the hereditary system by the electoral system.

At the district level, the Administering Authority reported, the Palau and Marshall Islands Congresses continued to function as advisory bodies during the year under review and a regional Congress had been established in the Ponape District. A Charter for a Congress for the Saipan District was being considered by the people of the District, but they had not yet reached agreement on the matter. Island problems at Yap, in the Palau District, are considered by a Council of Chiefs and an elected Young Men's Council. The Administering Authority stated that the congresses discussed such problems as taxes, land claims, trade and the prohibition of intoxicating liquors. It observed that these regional organizations were giving the people an opportunity to become acquainted with the problems of their immediate area and that they would be given additional powers when they had mastered the techniques and procedures of legislation.

The Administering Authority explained that its objective was to build regional government by perfecting first the governments in the municipalities. These, it stated, had been established on the foundation of existing indigenous governments. The Administering Authority's aim was to develop those indigenous governments by retaining, as it built, those customs that were desirable and substituting new ideas to supplant those that would retard democratic progress. When the municipalities had reached a unity of purpose and practice, they could unite under the already functioning regional congresses. Thus it was hoped to build towards regional government and eventually to a government of the entire Territory.

At its tenth session, the Trusteeship Council expressed the hope that the Administering Authority would continue to foster local initiative in the different regions for the purpose of creating additional regional representative organizations by such means as the integration of the municipalities.

There is no legislative body for the whole Territory, but the Administering Authority reported that a preliminary step had been taken in this direction with the formation of a Legislative Advisory Committee to draft regulations, process laws and study legislation. The Committee was composed of five members appointed by the High Commissioner from among the heads of the Administration's Staff Departments. As soon as

practicable, the Administering Authority stated, the Committee would be enlarged by adding indigenous members. It hoped that in time the Committee would consist entirely of indigenous members who would develop and carry out legislative proposals for the Trust Territory as a whole. The special representative subsequently informed the Trusteeship Council, during its tenth session, that in the last half of 1951 this Committee had been replaced by the High Commissioner's Council, comprising all the heads of the Staff Departments. The establishment of this Council, which might eventually become the nucleus of a central legislative body, was viewed with satisfaction by the Trusteeship Council. The Trusteeship Council expressed the hope that the Administering Authority would earnestly consider associating the indigenous inhabitants directly in the work of the High Commissioner's Council as soon as possible, even if only in an advisory capacity.

According to the annual report, the judiciary includes five types of courts—Appeals, District, Superior, Justice and Community. All elements of the population are entitled to participate and officiate in any court. Only the last three Courts, however, had indigenous judges. In 1951, the four Superior Courts had eight indigenous and one non-indigenous judges, the six Justice Courts seven indigenous and five non-indigenous judges, and the 105 Community Courts 127 indigenous judges.

The Administering Authority reported that the position of Public Defender and Counselor was established in September 1950 and an experienced lawyer was appointed to the post. As Public Defender, he protects the legal rights of all inhabitants and defends the accused in serious criminal actions; as Counselor, he advises the inhabitants in civil matters of a legal nature, rendering the necessary legal aid and representing them in civil actions. During the tenth session of the Trusteeship Council, the special representative spoke of the difficulty of teaching the indigenous inhabitants the necessity of separating administrative and judicial powers. He stated that the Courts and the Public Defender had co-operated in instituting classes to instruct the inhabitants in court procedure and legal methods. These classes, he considered, had had much influence in increasing general understanding of judicial and legal processes. In time, it was anticipated, no magistrate would also be a judge.

The Trusteeship Council drew the Administering Authority's attention to the desirability of giving constant consideration to training indigenous inhabitants to sit on the higher tribunals.

It expressed the hope that the Administering Authority would study the means of giving indigenous judges more effective participation in the District Court and the Court of Appeals.

b. ECONOMIC DEVELOPMENT

The annual report indicated that the economic situation of the Trust Territory had improved considerably. The Administering Authority attributed this improvement mainly to the increased production of copra, the main export, and the high price which it brought in the world market during 1950-51. Total exports increased from \$1,644,180.94³³ in 1949-50 to \$2,213,621.64 in 1950-51. The chief exports consisted of copra (\$1,296,081.59), phosphates (\$741,935), and trochus (\$82,531.78). All except 2 per cent of the copra was exported to Japan; the remaining exports went to the United States and Guam. Imports, most of which originated in the United States, increased from \$1,347,901.26 during 1949-50 to \$2,223,174.13 during 1950-51.

The Administering Authority reported that the Island Trading Company, an Administration-sponsored project which is wholly owned by the Government of the Territory, continued to handle the major part of the import and export trade, but private trading companies, which were expected eventually to replace the Company, were being established and their development aided. These companies, including four established during 1950-51, were in operation at all Civil Administration centres and at Yap and Kwajalein.

Since copra forms the basis of the economy in most of the Territory, the Administering Authority stated, a price stabilization policy had been established, and the Island Trading Company had been made the sole exporter of copra. The price paid to producers increased from \$90 per ton in February 1950 to \$130 in February 1951. The Administering Authority noted that its stabilization policy had proved sound shortly afterwards when the world market collapsed, for, although the price received by the Island Trading Company declined by \$140 per ton, the price paid to producers was reduced by only \$15 per ton, effective 18 July 1951.

On 1 July 1950 the funds previously set aside to use in maintaining the price of copra when markets were low were placed in a special Copra Stabilization Fund in the Territory's treasury and the High Commissioner formally established the amount of future contributions in the form of taxes. The Island Trading Company began to pay a 25 per cent processing tax on all copra

³³ Throughout this section, \$=U.S. dollars.

exported, of which 15 per cent became local revenue and the remaining 10 per cent was deposited in the stabilization fund. In October 1950 the processing tax was increased to 35 per cent and the portion of the fund was also increased to 15 per cent. With the decline in world prices payments to the fund were discontinued and the processing tax was reduced to 15 per cent.

The phosphate deposits on Angaur Island in the Palaus continued to be worked by the Japanese Phosphate Company of Angaur, which employed 370 Japanese and 40 indigenous workers. Exports during 1950-51, the Administering Authority reported, totalled 143,738 tons, an increase of 8,997 tons over the previous year. Under mining agreements concluded in 1949 and 1950, a 15 per cent ad valorem processing tax is paid to the Trust Territory, a severance fee of \$2 a ton is paid into a trust fund for the permanent inhabitants of Angaur, and payments of \$15,000 per year are made from this trust fund directly to the Angaurese. In addition, the Administering Authority stated, the trust fund provided during the year under review a special fund of \$50,000 for the development of economic projects desired by the Angaurese and a \$25,000 catastrophe relief fund. As of 30 June 1951, the trust fund amounted to \$370,678.17.

The Administering Authority stated that no large-scale industrial developments were planned since there existed neither the raw materials, the machinery, nor the technical or skilled labour on which to base such developments at present. However, it was encouraging and assisting light industries, the most important of which was the production of handicraft. Boat building had become important in the Marshall Islands where surplus Navy boats were being converted to merchantmen at an indigenously operated boat-yard. One hundred ex-Navy hulls had been distributed through the Territory and inhabitants of all Districts were becoming proficient in converting them into fishing and cargo vessels.

The Administering Authority reported that it was annually spending considerable sums, totalling \$93,000 during 1950-51, for research, surveys and experimental projects. The largest amount of capital for investment, however, was furnished by the Island Trading Company, which had set aside, as of 30 June 1951, \$250,000 for economic development. Of this, the Administering Authority stated, \$240,950 had been obligated for specific established projects—\$150,000 to promote local shipping as an indigenous enterprise, \$50,000 for cacao development and the balance for such purposes as the construction of a marine railway,

the purchase of a copra drier, typhoon damage loans, and poultry, coffee, ramie, coir fibre and bee projects. In addition, the Company provided technical assistance and extended credit to indigenously operated trade stores.

Although the economic situation had improved, the Administering Authority stated that its primary objective of creating a self-sustaining economy for the Territory was far from fulfilment. It considered that even in the most favourable circumstances the islands could never be rich because the meagreness of their natural resources precluded anything except a subsistence economy.

The Trusteeship Council recognized the efforts so far made to develop the Territory's economy and recommended that the Administering Authority continue its efforts to develop the material resources so that the Territory might achieve a greater degree of economic advancement and self-sufficiency. It urged the diversification of agriculture. In this connexion, it noted that preparations had been made to introduce cacao culture in the Territory and expressed the hope that this would be expedited and would prove successful. The Administering Authority was also asked to continue to develop the transport services of the Territory in such a manner as effectively to replace the services formerly provided by the United States Navy.

Local revenue for the fiscal year 1951 amounted to \$346,326.72, according to the Administering Authority's report. Trust Territory taxes consist of internal revenue taxes on cosmetics and tobacco, processing taxes on copra and phosphate and a head tax, imposed by the Administration but collected and expended by the municipalities, of \$2 on each adult male. The internal revenue tax and the processing tax on copra, which constitute the principal Territorial taxes, amounted in 1951 to \$46,486.93 and \$186,389.90, respectively.

The amount made available for spending during 1951, the Administering Authority reported, totalled \$2,492,704 and included \$1,014,000 appropriated by the United States Congress, \$421,326 approved by Congress for spending from past or current Territorial revenue, a special appropriation of \$1,011,400 to meet the costs of the transfer of administration, and \$45,978 derived from the processing tax on phosphate. In addition, it was estimated that materials and facilities provided by the United States Navy and not included in the Territorial budget cost \$6,210,600.

With respect to land tenure in the Territory, the Administering Authority indicated that in-

indigenous inhabitants held about 250 square miles of the total land area and the Administration had custody of 434 square miles, including public domain and land formerly controlled or owned by the Japanese and now under cognizance of the Alien Property Custodian. The Administering Authority reported its progress in the settlement of land ownership problems. It stated that during 1950-51 no additional public land had been acquired, some had been returned to former owners pending the adjudication of titles, and some releases of land had been made in the Saipan District. Two Land and Claims Regulations were issued to expedite the procedure for effecting the prompt return to owners of public and private lands controlled by the Administering Authority but no longer needed for government purposes. Under this procedure, Title Officers hold public hearings, determine ownership, and execute the release of land. Land title cases are adjudicated by the District Court which acknowledges customary usage.

The Administering Authority stated that land owners who do not regain land they formerly held are to be given appropriate land elsewhere or reimbursed and given the opportunity to purchase other lands. Owners of land required for military purposes are to be compensated for the use of their land. Where feasible, private land will be exchanged for public domain. Some public land is to be used to homestead landless persons, and some is to be developed by government-sponsored projects or under lease arrangements. During its tenth session, the Trusteeship Council was informed of further developments by the special representative, who stated that 10,240 acres of land listed in the annual report as public lands had been turned over to former owners in connexion with the adjudication of titles and that the balance of the public lands still held was being returned as readily as legal ownership could be established.

c. SOCIAL DEVELOPMENT

The Administering Authority reported that it was continuing to carry out and expand programmes for the development of self-government, economic self-sufficiency, medical care and education, all aimed at improving social conditions. It considered that these and the indigenous social systems provided the necessary guarantees for social welfare and social security. A staff of anthropologists continued to advise district officials. The standard of living continued to improve generally, the Administering Authority observed, and the people were enjoying better

living conditions than they had ever known. Although it did not consider cost-of-living surveys practicable, the Administering Authority stated, the results of a contemplated survey of the Territory by an economist would give some indication of the correlation of the economic situation with wages and the cost and standard of living. The Trusteeship Council recommended that the Administering Authority supply further information concerning this study.

According to the annual report, social legislation promulgated during 1950-51 was directed toward the settlement of the land problem; the care and disposition of lepers; the pay and allowance for employees of the Public Health Department; the regulation of divorce, annulment and adoption; and the establishment of new interim regulations on criminal procedure and the judicial code and law enforcement. Because of the predominantly non-industrial character of the Territory, the need for trade unions, collective bargaining processes and the right to strike had not become evident. Of about 5,000 wage earners, the Administering Authority reported, one-third worked for the Administration and the rest engaged in light business enterprises, copra and handicraft production, public works and salvage operations for military or civilian contractors. Work periods and holidays are generally controlled by established indigenous customs. Government employment is based on a 40-hour week, and a policy of equal pay for equal work in a District applies to all inhabitants. The Administering Authority stated that it employs non-indigenous personnel only when the necessary professional or technical knowledge and experience cannot be found among the indigenous inhabitants; where necessary, it added, explicit regulations had been enacted to ensure that the indigenous inhabitants employed suffered no indignities and received a fair share of the desirable and undesirable jobs.

The Administering Authority affirmed that it recognized the equality of women in all matters and added that, with the encouragement of the Administration, women were demonstrating an increasing desire to participate in the management of local affairs. Noting this, the Trusteeship Council recommended that the Administering Authority continue to encourage such development.

Referring to the former inhabitants of Bikini who had been resettled on Kili Atoll in 1948, the Administering Authority assured the Council that it was keeping their situation under careful observation and assisting them with their economic and cultural problems. It noted that they

were gradually adjusting psychologically and economically to their new home. The Administering Authority further stated that it had given them a deed in perpetuity to Kili, provided them with a new boat, and transferred to their ownership two islands within the nearby lagoon of Jaluit where they might establish warehouses for their copra and other trade goods.

Medical facilities within the Trust Territory, according to the Administering Authority's report, included five unit dispensaries and two sub-dispensaries with facilities for in-patients, 94 sub-dispensaries for out-patients and a leprosarium at Tinian with facilities for 100 lepers. Special or difficult cases continued to be treated at the Guam Memorial Hospital. During 1950-51, the Administering Authority reported, indigenous medical personnel totalled 382 and included 12 medical practitioners, 2 dental practitioners, 23 nurses, 136 midwives, 166 health aides, and 43 nurses aides. Non-indigenous medical personnel, including 14 medical and dental officers, totalled 52. In addition, 51 indigenous students were being trained as medical and dental practitioners at the Central Medical School at Suva, Fiji, and 13 students were being trained as nurses at the Guam Memorial Hospital; others were being trained at the Civil Administration Unit dispensaries and dental clinics as medical and dental assistants, health aides, dental aides and nurses aides.

In May 1951, the Administering Authority stated, the medical survey ship, U.S.S. Whidbey, terminated her four-year medical and dental survey of the entire Trust Territory during which it examined about 75 per cent of the total population. In order to continue adequate follow-up studies and to contribute to diagnostic aids and better medical care on the more remote islands, the Administering Authority had approved plans to instal X-ray equipment in four station ships engaged in making field trips in the Territory.

The Trusteeship Council expressed its satisfaction with the progress made in public health. It emphasized the need for continuing effort to improve and expand the health services, particularly with respect to tuberculosis, leprosy and filariasis. It also expressed the hope that the Administering Authority would continue to accelerate the training of medical personnel. A statement by the Administering Authority indicating its willingness to share the results of its medical and other research was viewed with satisfaction by the Council, which recommended that the desirability of continuing research in tropical diseases be kept under constant review.

d. EDUCATIONAL DEVELOPMENT

The objective of its basic educational policy, the Administering Authority stated, was to promote the educational advancement of the inhabitants by establishing a system of elementary and intermediate education, by facilitating the vocational and cultural advancement of the people and by encouraging students to pursue professional training. Educational expenditures for the fiscal year 1951 were reported at \$385,509, an increase of about \$9,000 over the preceding year. This sum did not include the salaries of elementary school teachers, paid from local municipal funds; nor did it include other expenses, amounting to \$48,000, borne by the Administering Authority for such purposes as salaries of Naval personnel engaged in educational work and free material distributed by the Administration. Progress was reported in the school construction programme, twelve new schools having been completed.

The Education Department, located in Hawaii, is responsible for the administration of the public school system, according to the annual report. The Advisory Committee on Education for Guam and the Trust Territory makes recommendations concerning professional and technical phases of education and educational administration, screens candidates for teaching positions, and reviews the progress of the programme. Within the Trust Territory, Educational Administrators for each District, and for the island of Yap, direct educational affairs, implement policies, and are responsible for expanding and supervising educational programmes in their respective Districts. Each District also has an indigenous Superintendent of Elementary Schools who was reported to have taken over many of the educational tasks of the District.

The municipalities have primary responsibility for elementary public schools, which are staffed entirely by indigenous teachers; they received subsidies totalling \$9,090 in 1951, an increase of \$4,576 over 1950, to help pay teachers' salaries. The Administering Authority reported that, as of 30 June 1951, there were 138 elementary public schools throughout the Territory with a teaching staff of 246 and an enrolment of 6,609, indicating an increase of eight schools and 25 teachers and a decrease of 106 pupils as compared with the previous year. A total of 707 students, about 511 of whom had scholarships providing for free subsistence and money for incidentals, attended the six intermediate schools, staffed by 23 indigenous and 26 non-indigenous teachers. In addition to these public schools, the Administering Authority stated, there were 20 private

elementary schools conducted by religious missions; these had an enrolment of 1,760 students and a staff of 83 teachers.

Public education beyond the intermediate level was offered at the Pacific Islands Teacher Training School at Truk, the Administering Authority reported. This included a school for training teachers, a school for training indigenous radio operators, and a school of general education, established in 1950 to provide secondary education. These had a total enrolment of 106 students and were staffed by three non-indigenous and five indigenous teachers. The special representative of the Administering Authority later informed the Trusteeship Council, during its tenth session, that emphasis had been shifted from teacher-training alone to secondary education generally. It was felt that this change was of some significance since the school, the name of which was changed to Pacific Islands Central School, would still advance the level of teachers and would now also fill the need for training in vocational and professional fields.

Students who meet the qualifications for American universities are eligible for scholarships from the Administering Authority, various universities and private sources. During the year under review, students at universities and high schools in the United States increased from four to seven; students at seminars in the Philippine Islands increased from five to 11; and students attending high schools on Guam at their own expense increased from 10 to 22.

The Trusteeship Council recommended that, in the absence of institutions of higher education within the Trust Territory, the Administering Authority should consider establishing an expanded scheme of scholarships to enable indigenous students to study abroad, particularly in law and business administration.

The Administering Authority reported that the knowledge of indigenous culture and the fostering of art continued to be actively encouraged. Archeological investigations were being conducted throughout the Territory as part of the programme of the Scientific Investigation of Micronesia. A fair to sponsor and popularize the production of indigenous articles in the Palau Islands was conducted by the Koror Intermediate School in 1951. An atoll music festival was staged by the intermediate school and Teacher Training School at Truk; in addition, sketches and paintings prepared by students at these schools were exhibited in schools throughout the United States. The first two volumes of *Legends of Micronesia*, prepared by the Education Department with the assistance of indigenous inhabitants, were published during the year under review.

The Trusteeship Council noted with satisfaction the Administering Authority's concern for the study of indigenous art and culture. With respect to indigenous art, it suggested that the free development of art in its creative form should be encouraged among the indigenous artists; an assurance along these lines was given by the Administering Authority and noted by the Council.

D. CONDITIONS IN TRUST TERRITORIES IN EAST AFRICA

Annual reports submitted by the Administering Authorities on the administration of Ruanda-Urundi, Tanganyika and the Trust Territory of Somaliland during 1951 were examined by the Trusteeship Council during the first part of its eleventh session, held from 3 June to 24 July 1952.³⁴

In 1951, the Council had sent to these Trust Territories a Visiting Mission composed of Enrique de Marchena (Dominican Republic) as Chairman and Mom Chao Dilokrit Kridakon (Thailand), G. R. Laking (New Zealand) and William I. Cargo (United States) as members.³⁵ Leaving United Nations Headquarters on 17 July, the Mission had proceeded, via Brussels, Belgium, and Leopoldville, Belgian Congo, to Ruanda-Urundi, arriving on 24 July. On 13 August, the Mission flew to Tanganyika, where it stayed until 15 September. It then spent four days in Nairobi,

Kenya, where it discussed, with the Chairman and principal officials of the East Africa High Commission, the operation of the Inter-Territorial Organization, which involves Tanganyika. On 19 October, the Mission flew to Somaliland, leaving that Territory on 7 October. It then went to Europe, where it had conversations with officials of the Administering Authorities concerned and returned to New York on 17 October. During its stay in the Trust Territories, the Mission spoke with representatives of the people and with government officials, and visited hospitals, prisons, schools, agricultural and commercial establishments and other institutions. The Mission prepared separate reports on Ruanda-Urundi (T/948), Tanganyika (T/946 and Corr.1) and Soma-

³⁴ See chart on the examination of annual reports, pp. 746-47.

³⁵ See Y.U.N., 1951, p. 683.

liland (T/947 and Corr.1), and observations on the last two reports were submitted by Italy (T/1006) and the United Kingdom (T/977), as Administering Authorities of the Territories. Both Governments expressed their appreciation of the objective and realistic assessment of conditions and problems in Somaliland and Tanganyika, respectively. The reports of the Mission, as well as the observations of Italy and the United Kingdom, were considered by the Council concurrently with its examination of the annual reports of the Administering Authorities.

By resolution 464(XI), adopted on 22 July 1952 by 10 votes to none, with 1 abstention, the Trusteeship Council decided that, when examining matters relating to the three Trust Territories in the future, it would continue to take into account the observations and conclusions of the Mission and the relevant observations of the Administering Authorities. The latter were asked to consider most carefully the conclusions of the Mission as well as the comments made thereon by members of the Trusteeship Council.

In examining the annual report on Somaliland, the Council also took into account the report of the United Nations Advisory Council for the year ended 31 March 1952. Observations (T/1012) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) concerning Tanganyika were considered by the Council in connexion with its examination of educational conditions in that Territory.

In 1952, during its tenth and eleventh sessions, the Council dealt with 23 petitions concerning Ruanda-Urundi, 61 concerning Tanganyika and 215 concerning the Trust Territory of Somaliland.³⁶ It adopted resolutions on 183 petitions which it examined individually; some of these related exclusively to personal matters, others also raised more general questions, many of which, the Council informed the petitioners, had already been and would continue to be examined in connexion with its annual examination of conditions in the Territories. Of the remaining 116 petitions, a few were anonymous and the balance were wholly concerned with general problems on which the Council had taken decisions or made recommendations in the past. In accordance with a new procedure³⁷ adopted during the Council's eleventh session, no resolutions were passed on these petitions, but the problems dealt with were considered by the Council during its examination of conditions in the Territory concerned.

In addition to the consideration of petitions in the Trusteeship Council, representatives of the

Wa-Meru tribe of Tanganyika and of political parties from Somaliland were heard in the General Assembly.

A brief description of conditions in each of the three Trust Territories in East Africa, based on the annual reports and the reports of the Visiting Mission, is given below, together with an account of some of the more important questions raised in petitions, the conclusions and recommendations of the Trusteeship Council, and the General Assembly's consideration of the problem of the Wa-Meru and of conditions in the Trust Territory of Somaliland.

1. Ruanda-Urundi, Administered by Belgium

This Territory, covering a total area of 54,172 square kilometres, is the most densely populated in Africa. On 3 January 1952, according to the Administering Authority's annual report,³⁸ the non-indigenous population numbered 4,325 Europeans (3,733 in 1950), 1,498 Asiatics (1,896 in 1950), 100 non-indigenous Africans (68 in 1950), and 1,370 half-castes (1,207 in 1950). The indigenous population living under the authority of chiefs was estimated in 1950 at 3,904,779. In addition, in 1951 there were 62,261 indigenous inhabitants living in extra-tribal areas (centres extra-coutumiers) who were not subject to the authority of chiefs (53,015 in 1950). The capital of the Territory is Usumbura.

The indigenous inhabitants of Ruanda-Urundi are known by that term (indigènes du Ruanda-Urundi), which has not been defined by law. Their legal status was determined by the Act of 21 August 1925, which united the Trust Territory administratively with the adjacent Colony of the Belgian Congo.³⁹ Article 5 of that Act provides that rights granted to the inhabitants of the Belgian Congo by the laws of that Territory extend, subject to the qualifications contained therein, to persons under the jurisdiction of Ruanda-Urundi. Commenting on this situation, the Visiting Mission

³⁶ For list of petitions dealt with by the Council during 1952, see Annex.

³⁷ See pp. 82-85.

³⁸ Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1951 (Brussels, 1952). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council Official Records, Eleventh Session (3 June, 24 July 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

³⁹ For the Trusteeship Council's examination of this administrative union during 1952, see pp. 735-36.

sent to the area in 1951 observed (T/948) that, in view of the special status of Ruanda-Urundi as a Trust Territory, the Administering Authority should consider defining the status of the inhabitants more precisely. Their rights, the Mission stated, should derive from the legal status of Ruanda-Urundi and not from rights enjoyed by the indigenous inhabitants of the Belgian Congo.

a. POLITICAL DEVELOPMENT

Executive power over the Trust Territory is vested in the Governor of Ruanda-Urundi, who also bears the title of Vice-Governor-General of the Belgian Congo. He is assisted by a Provincial Commissioner and the staff of various administrative departments. Two Residents, one for Ruanda and one for Urundi, and District Administrators are responsible for local administration. Under them, indigenous authorities are responsible for indigenous administration and for numerous functions prescribed by law. A Mwami, or king, chosen according to Native custom and invested by the Governor, heads each of the two indigenous states (pays)—Ruanda and Urundi. Each pays is divided into chiefdoms (51 in Ruanda and 36 in Urundi) and sub-chiefdoms (628 in Ruanda and 499 in Urundi) under chiefs and sub-chiefs who are appointed by the Mwami in accordance with customary law and invested, respectively, by the Governor and Residents.

Ruanda-Urundi has no legislative body. It is subject to Acts of the Belgian Parliament, decrees of the Belgian Crown and ordinances of the Governor-General of the Belgian Congo. Decrees and ordinances which do not expressly state that they are applicable to Ruanda-Urundi do not apply there, however, unless the Governor makes them applicable. A Council of the Vice-Government-General, a 22-member advisory body established in 1947, meets for a few days each year to examine budgetary proposals and consider questions submitted to it by the Governor. Until 1949, when the two Bami (plural of Mwami) were made *ex officio* members, the Council was composed exclusively of Europeans. In 1951, an African priest was appointed as a full member. These three members and two European religious authorities represent more particularly the interests of the indigenous inhabitants.

The Administering Authority reported that the plan for the reform of the indigenous political organization, which had been considered earlier by the Trusteeship Council,⁴⁰ had been placed before the Colonial Council in Belgium in 1951. This plan, as contained in a draft decree, was

designed to make the customary councils for each of the two pays, the chiefdoms and sub-chiefdoms more representative and to give them increased powers. In addition, a council was to be organized at the district level to deal with all questions of common concern to the localities making up the district. These various councils would have to be consulted on all matters of concern to their respective districts and the consent of the councils of the pays and of the chiefdoms would be required, in many cases, to validate decisions of the Mwami or the chiefs acting within the limits of their powers as recognized by the decree.

It was also proposed to extend the powers of the indigenous authorities, particularly in certain matters formerly reserved to the European authorities: demarcation of the boundaries of the chiefdoms and sub-chiefdoms, power to ban residence in certain areas, decisions as to the number and salaries of the police, determination of the agricultural programme and of individual work programmes, redemption of customary levies, imposition or special taxes, approval of expenditure, etc

A permanent deputation to the council of the pays would be responsible for supervising the councils of the chiefdoms and sub-chiefdoms and for enforcing decisions and regulations made by the Mwami with the consent of the council of the pays.

The Visiting Mission stated that it had the impression that there was scarcely any contact between the indigenous authorities of Ruanda and of Urundi, and that, according to the information at its disposal, the political reform plan contained no provisions concerning relations between the two pays. The Mission emphasized the need for fostering collaboration and close relationship between the people and institutions of the two pays to facilitate the evolution toward a common structure. It suggested that the emphasis placed upon the development of the indigenous political structure in the political reform plan might be balanced by giving comparable attention to the development of a central legislative body, necessarily of limited competence at the beginning. In this connexion, the Mission expressed the opinion that the Council of the Vice-Government-General, in its present form, was of little political significance and could not satisfactorily exercise powers of legislation for the Territory as a whole without substantial changes in its composition involving a clear relationship to indigenous institu-

⁴⁰ See Y.U.N., 1951, p. 685.

tions in the two pays. Pending further developments of the political institutions of the two pays and a careful study of the relationship between them and a central legislative body, the Council, with increased African representation, could usefully be retained as an advisory organ and could provide indigenous persons with experience in the processes of government.

During the eleventh session of the Trusteeship Council, the special representative of the Administering Authority maintained that the composition of the Council of the Vice-Government-General had been studied by the Administration with a view to making the interests of the indigenous inhabitants predominant. Their interests, he stated, were protected much more effectively by the officials, the magistrates and the missionaries than by themselves. Moreover, at the present time, few Africans were prepared to sit on the Council. Their number would be increased progressively as and when possible, but to replace certain members of the Council by Africans would be a grave mistake. Considering that the two Bami, the two Residents and the religious authorities were members of the Council, he stated, he could not see how the institutions of the two pays could have been better taken into consideration.

The Trusteeship Council welcomed the important reforms proposed in the indigenous political structure. It also noted with interest the value of the Council of the Vice-Government-General as a means of affording the indigenous inhabitants experience in the processes of government and recommended that the Administering Authority consider expanding this Council's membership in order to ensure the representation and participation of all important indigenous interests.

According to the annual report, the central Administration employed 120 Europeans in 1951, as against 131 in 1950. The number of Europeans employed in the local Administration in Ruanda rose from 127 in 1950 to 156 in 1951, and in Urundi from 146 to 201. In addition, in 1951, the civil service included in the permanent staff 493 (451 in 1950) literate Africans in subordinate posts such as book-keepers and clerks. The Administration also maintained a corps of 298 (282 in 1950) indigenous police, and many other Africans were employed as assistant hospital attendants, labourers and so on. The Visiting Mission reported that the possibilities of Africans qualifying for responsible positions in the Administration, as suggested in the past by the Trusteeship Council, depended upon their opportunities to prepare themselves for such positions, and

those possibilities were at present very limited. It also stated that it had received complaints from indigenous inhabitants in the central Administration that the salaries were inadequate. With respect to the indigenous organization, the Mission considered that, although ordinarily the European Administration consulted the Bami and some chiefs on measures affecting the indigenous inhabitants, the indigenous authorities were generally restricted to a very limited field of action and, except in the exercise of their judicial functions, occupied a subordinate position. The Mission felt that the importance of service under the traditional indigenous organization depended on the degree of development of local government. It concluded that, to meet the increase in the responsibilities of local government which would accompany the Territory's political development, the services of better qualified officials would be required. It was, therefore, very important to attract more educated Africans into local government employment. The Mission considered that the Administration should take steps to put the employment of Africans by the indigenous organizations on a regular basis, with a view to improving rates of pay and regularizing other conditions of employment. This, it felt, might open the way in due course to the creation of a unified service for local government employees, offering the possibility of interchange of personnel between the various organs of local government.

During the eleventh session of the Trusteeship Council, the special representative stated that the Mission had not examined in the correct light the question of giving Africans posts in the Belgian Administration. As long as the Territory was under Trusteeship, he stated, the administrative personnel was naturally Belgian and it was normal that the indigenous inhabitants should have only modest jobs. Referring to the indigenous organization, which he stated was parallel with the Belgian Administration, he expressed the opinion that the future independence of the Territory should be achieved as the result of the progressive transfer of powers from the non-indigenous to the indigenous authorities and not by the introduction of indigenous persons into the Belgian Administration. The latter method, he felt, would merely serve to perpetuate the co-existence of two Administrations and divide the indigenous officials and, perhaps, set them in opposition. Moreover, important posts were much more numerous in the indigenous Administration than in the central Administration. It was not unusual to see officials with posts in the central

Administration give up those posts for more interesting positions as chiefs or sub-chiefs.

The Trusteeship Council drew the Administering Authority's attention to the views expressed in the Council concerning the existing duality of the administrative structure and the difficulty which it appeared to present to the development of a territorial government in which the indigenous inhabitants might play a full part; it invited the Administering Authority to include in its next annual report a full explanation of its policy in this matter and of the means by which the difficulties involved in it might be overcome.

The Council further recommended that the Administering Authority continue to develop opportunities for indigenous inhabitants to enter the public service. Such measures might include the granting of scholarships for study abroad and should be designed particularly to fit the indigenous inhabitants for higher posts in the Administration. In this connexion, the Council invited the Administering Authority to review the salary scales for Administration employees in order to determine their adequacy from the points of view of both the prevailing cost of living and the desirability of encouraging the most suitable persons to enter the public service. It asked that information on this matter be included in the next annual report.

In 1951, according to the annual report, a third attempt was made to introduce an electoral system for the selection of members of councils in the centres extra-coutumiers. The Administering Authority described in detail the local Administration's preparations for the election of six councillors in the centres extra-coutumiers of Usumbura. In spite of the preparatory publicity, only one candidate came forward spontaneously and the Administration had to designate seventeen others. Eight days before the elections, only 25 persons out of a total population of 6,000 had voluntarily collected electors' cards. On the basis of information it received, the Administration considered that most of the population felt that the inhabitants of the centres were not mature enough to take part in elections and that the councillors should simply be designated by the Administration. It concluded that any hopes of enlisting the interest of the indigenous inhabitants in political life were premature. The Visiting Mission recognized the difficulties inherent in the development of an electoral system, and considered that the Administration was to be commended for its efforts. It added that, obviously, the goal of popular representation could not be achieved by a single isolated measure; what was

required was a comprehensive plan, including a series of steps designed to eliminate the remaining obstacles to the political evolution of those living in the centres extra-coutumiers, and to extend the measures to those living under the traditional system. The special representative informed the Trusteeship Council that the Administration intended to continue its efforts, and that the political reorganization of the chiefdoms would allow it to accustom the indigenous people to a democratic method of electing members to councils. It was not the organization of the elections that was difficult, but the formation of a political conscience in the indigenous inhabitants.

The Trusteeship Council expressed regret that the further effort to introduce the electoral principle had not been received with sufficient interest by the indigenous inhabitants concerned. It commended to the consideration of the Administering Authority the Mission's views on the general problem of introducing electoral methods and invited it to consider measures which might be taken to create a public opinion favourable to electoral experiments on an increasingly wide scale.

The Mission reported an encouraging trend in the indigenous judicial system in that it was becoming more and more common for the chiefs, who were ex officio presidents of the chiefdom courts, to be replaced by deputies appointed for the purpose. The Mission considered that the Administering Authority should intensify its efforts to secure genuine separation between executive and judicial functions, in the indigenous as well as in the European jurisdiction, and to ensure the independence of the judiciary. The Mission's attention was drawn to the length of the period of detention for persons awaiting trial or the hearing of appeals against conviction, and complaints on this subject were included in two petitions examined by the Trusteeship Council at its tenth session—from Chaka Selemani (T/Pet.3/40 and Add.1-3) and Joseph Marie Ngwela (T/Pet.3/43 and Add.1). The Administering Authority explained (T/943 and Add.1 and T/C.2/SR.2 and 6) that the proceedings in these cases had been held up pending the receipt of a report from a handwriting expert in the Belgian Congo, and that steps had been taken to avoid excessively long periods of trial detention in the future. By resolutions 439(X) and 442(X) of 31 March 1952, the Council expressed the hope that the Administering Authority would take all appropriate action to limit the duration of detention

pending trial to a minimum and to expedite the obtaining of necessary expert advice.

It appeared to the Mission that knowledge of the right of petition was not very widespread in the Territory; several indigenous inhabitants who approached the Mission expressed the fear that, by stating their views or grievances, they might expose themselves to direct or indirect reprisals. The Mission did not consider that those fears had any real foundation, but believed that they should be dispelled by appropriate efforts on the part of the Administration to acquaint all the inhabitants of the Territory with their right of petition under the Trusteeship Agreement.

During the eleventh session of the Trusteeship Council, the special representative of the Administering Authority pointed out (T/PV.421 and 423) that the Administration had undertaken to co-operate fully with the General Assembly and the Council in the fulfilment of all their functions, and notably of those with respect to petitions. It regarded it as a duty to transmit petitions where necessary and to inform the inhabitants of their right of petition. But it felt that it would be excessive to carry out propaganda in favour of this right. The Administering Authority considered that the natural recourse for the indigenous inhabitants was to the Belgian Administration and that recourse by means of petition to the Council should remain exceptional, comparable to a court of appeal. It assured the Council, however, that every indigenous inhabitant had the right to address himself directly to the Council without having had recourse in the first instance either to the local authorities or to the Administering Authority.

The Council, expressing concern at the impression gained by the Visiting Mission that the right of petition was not fully understood or effectively exercised in the Territory, welcomed the assurance given by the Administering Authority that no obstacles were placed in the way of indigenous inhabitants in exercising this acknowledged right. It urged the Administering Authority to take appropriate steps to ensure that the place of petitions in the International Trusteeship System was fully understood and recommended that these efforts be co-ordinated with the dissemination of general information about the United Nations.

b. ECONOMIC DEVELOPMENT

The economic situation of Ruanda-Urundi in 1951 was described in the annual report as very favourable. Economic trends in recent years had been characterized by a growing increase in

production, exports and imports, and by a great development in communications and the growth of new activities. The proposed Ten-Year Plan for the economic and social development of Ruanda-Urundi was approved and published in 1951 by the Ministry of the Colonies. This Plan, it was stated, called for a total investment outlay of 3,670 million francs⁴¹ and was to be put into operation progressively, beginning in 1952, with funds from an extraordinary budget to be voted by the Belgian Parliament. The Administering Authority annexed a summary of the Plan to its annual report but emphasized that it was not its intention that the Plan should be discussed by the Trusteeship Council when the annual report for 1951 was examined. It added that future annual reports would enable the Council to appraise the progress made in implementing the Plan.

Commenting on the considerable progress achieved in the Territory during 1951, the Trusteeship Council noted the publication of this Plan with particular interest.

Due to the exceptional density and growth of the population, Ruanda-Urundi has a most acute demographic problem. Food supply has been the most urgent problem, for the land is overworked and insufficiently productive owing to the effects of soil deterioration, unfavourable climatic conditions and water shortage. Thus, the 1951 Visiting Mission reported that, despite the large production of foodstuffs, the Territory lived under the constant threat of food shortage or famine. The Administering Authority, however, stated that the increase in the production of foodstuffs, in conjunction with the use of a network of roads (8,332 kilometres), and the installation of food warehouses had considerably mitigated the danger of famine.

The Administering Authority reported further increases during the year in the land made available for cultivation through the drainage of marshlands, irrigation and anti-erosion measures. The total area under cultivation, it was estimated, increased from 1,318,014 hectares in 1950, to 1,337,606 hectares, or 24.7 per cent of the Territory's land area, in 1951. Of this, 1,299,000 hectares, or 97.2 per cent of the area under cultivation, were used by the local population for growing foodstuffs, production of which rose from 3,783,300 tons in 1950 to 5,160,750 tons in 1951. The annual report also showed increases over 1950 in the amount of cash crops produced by the indigenous population, as follows: arabica coffee beans, from 15,675 to 17,500 tons; cotton

⁴¹ Throughout this section, francs=Belgian francs.

seed, from 3,220 to 3,835 tons; palm oil, 550 to 1,265 tons; and castor oil, 2,390 to 2,960 tons. Agricultural production by non-indigenous enterprises, amounting in 1951 to 129 tons of arabica coffee, 287 tons of robusta coffee, 934 tons of pyrethrum, 172 tons cinchona bark and 122 tons of sisal, had not changed appreciably since 1950 according to the report.

It was recognized in the Ten-Year Plan that the development of agriculture, as well as of stock-raising, was dominated by the problems of overpopulation and over-grazing. On the assumption that each family needed from two to five hectares of cultivable land and that each head of cattle needed over three hectares of pasturage, 145,000 of the 780,000 families in Ruanda-Urundi, and 440,000 of the 970,000 head of cattle could not be maintained.

Among the measures contemplated under the Ten-Year Plan to remedy the situation, which was regarded as serious, were programmes for land conservation, the adaptation of indigenous agriculture and the strengthening of the existing anti-famine campaign, the establishment of complementary zones, some for the more intensive cultivation of food crops and others for industrial crops, the redistribution of the population within Ruanda-Urundi or into neighbouring territories and the establishment of indigenous agricultural communities. The Ten-Year Plan envisaged increases of 10 per cent in the area of cultivated land, 31 per cent in the production of indigenous food crops and 155 per cent in the production of indigenous export crops. It was expected that the realization of the agricultural development programme would be facilitated by scientific research directed by the Institut de la recherche scientifique en Afrique centrale and the Institut national pour l'étude agronomique du Congo Beige.

The Visiting Mission stated that the Administration should be commended for its extensive use of research. It described the programme for the redistribution of the population as a bold plan, particularly by the establishment of indigenous agricultural communities. The Mission had been struck by the complete absence of villages. The dispersal of the population in groups of four or five families, with huts hidden among the plantations, was considered by the Administering Authority the greatest and most insidious obstacle to civilizing influences, and it was expected that the regrouping programme would benefit agricultural development.

To reduce the number of cattle to a rational level, according to the Ten-Year Plan, 170,000

head of cattle should be eliminated annually for nine years. At present, the number slaughtered and exported is no more than 100,000, or about 20,000 less than the annual natural increase. The cattle were described as generally undernourished and diseased. They are regarded exclusively as a sign of wealth and social and political prestige by the indigenous inhabitants, who use every form of obstruction to prevent the elimination of old and diseased beasts. Under a complex customary system of contracts known as ubuhake, cattle are handed down in exchange for services from shebuja (lord or master) to umugaragu (client or serf) and similarly redistributed by the latter in a pyramidal system extending through all levels of society, from the Mwami to the peasant. The Administering Authority expressed the hope that one of the principal means of reducing the cattle population would be the abolition of the ubuhake. This, it was noted by the Mission, had been recommended by the indigenous authorities themselves. As a result of the termination of the ubuhake contracts and the attendant apportionment of the cattle between the various shebuja and abagaragu (plural of umugaragu), it was expected that the importance attached to the possession of cattle would gradually diminish and that the lack of pasture land and the services of farm labour would oblige the individual owners to reduce their herds by selling inferior animals. Under the Ten-Year Plan, the excess livestock would be purchased by an indigenous co-operative organization and delivered to a processing plant established and financed by the co-operative but operated by a European firm, the profits to be divided between the factory operator and the members of the co-operative. In addition, the Ten-Year Plan proposed a programme for selecting and improving livestock, improving grazing grounds, reforming the conditions of stock-breeding, launching anti-disease and anti-parasite campaigns, and planning animal husbandry for the production of meat, milk and milk products and skins.

The Visiting Mission considered the programme devised by the Administration an ingenious attempt to solve the cattle problem; no progress, it observed, was possible unless that problem was solved. It felt that, though a solution would naturally entail social disturbance and possibly some hardship to sections of the population, those objections must be balanced against the resultant benefits to the Territory and its inhabitants generally.

The Trusteeship Council, recalling the importance which it had previously attached to the

social and economic problems arising from the indigenous ownership of livestock, noted with interest the measures developed to deal with the situation and urged the Administering Authority to put these measures into effect without delay.

The Administering Authority's report for 1951 stated that the indigenous inhabitants owned about 36,000 square kilometres of land; the Government owned 129 square kilometres; and the non-indigenous inhabitants owned 92 square kilometres and held 126 square kilometres on lease. In 1949 the Administering Authority had decided to limit the granting of agricultural concessions to 5 hectares for residential purposes and the following year it announced that the granting of concessions to non-indigenous inhabitants even over such small areas had been temporarily suspended. These decisions had been commended by the Trusteeship Council. The Council had considered it of prime importance that uninhabited and uncultivated lands should, as a rule, be reserved for the indigenous population and had urged that the restrictions on the settlement of agricultural land by non-indigenous persons be maintained. The Ten-Year Plan stated, however, that, though opportunities were few, non-indigenous settlement for agriculture and stock-breeding was warranted, chiefly because of its educational value to the local inhabitants. The Plan envisaged:

(1) the possibility of granting agricultural concessions of not more than 50 hectares in densely populated districts, somewhat larger concessions in sparsely populated districts and up to 200 hectares in unpopulated areas; (2) the granting of long (30-year) leases on land suitable only for forestry and intended for afforestation; (3) the establishment of model stock farms of a maximum area of 200 hectares, at the rate of two such farms for each of the six great pastoral areas; and (4) the granting of small concessions of not more than five hectares for use as nurseries and market gardens, and for horticulture, poultry farming and small-scale stock-farming.

The Mission recognized the contribution made by settlers to the Territory's economic and agricultural development and the value of their example in educating the indigenous inhabitants. However, in the light of the special problem of land in relation to population, intensified as that problem was by the cattle question, the Mission reached three general conclusions with respect to land settlement:

(1) It considered that responsibility for the proposed model stock farms might best be assumed by the Administration or by the Institut national pour l'étude agronomique du Congo Beige, possibilities suggested in the Ten-Year Plan.

(2) The Administration should also take primary responsibility for afforestation to ensure that the

maximum benefit accrued to the indigenous inhabitants. In view of the vital need for afforestation on as large a scale as possible, however, the Mission felt that planting or the supervision of planting might in some instances be entrusted, with proper safeguards, to the present settlers; but it did not believe that the problems of developing the Territory's forest resources were such as to warrant new European settlement.

(3) With respect to the possibilities of new land concessions in certain sparsely populated areas, the Mission considered that the admission of new European settlers should not be considered until an exhaustive examination had been made of the possibility of developing these areas by other means; it appeared to the Mission that concessions to set up a proposed sugar industry were justified.

During the eleventh session of the Trusteeship Council, the special representative of the Administering Authority stated that the Administration felt that it must insist on the advantage to the Territory offered by the presence of settlers as well as on the organization of certain model farms and the granting of concessions for afforestation. He pointed out that the land occupied by non-indigenous inhabitants in 1951—218 square kilometers—was really insignificant in proportion to the total land area.

With respect to mining, the Administering Authority reported that since 1 June 1950, when the general right to prospect was restored, the Territory had embarked upon a new phase of intensive prospecting. Further intensified exploration and prospecting was provided for under the Ten-Year Plan. According to the annual report, mining output during 1951 was valued at 270,097,670 francs and comprised 0.17 tons of gold, 2,610,838 tons of cassiterite, 277,494 tons of wolframite and 161,865 tons of mixed ores. The output in 1950 was valued at 180,600,540 francs. The Administering Authority stated that the amounts payable for mine occupancy included personal taxes, prospecting fees, survey charges, operating and occupancy duties and company income taxes. These amounted to 24,140,745.40 francs in 1950 and 49,840,453.05 francs in 1951; the 1951 figures were not final and did not include income taxes. In addition, the Territory derived income from the securities it held in mining companies. The Visiting Mission reported that it had obtained no particulars concerning the relation between the contribution of mining companies to the public treasury and those companies' profits. However, an assurance by the Administering Authority that it would include such information, previously requested by the Trusteeship Council, in its next annual report was welcomed by the Council.

The Administering Authority reported that there were 814 non-indigenous industrial plants

in 1951 as compared with 782 in 1950; most of them were engaged in either construction or agricultural and related industries. In addition, there were 226 indigenous plants, of which 170 were building undertakings operated by chiefdoms.

The importance of industrialization to Ruanda-Urundi was stressed in the Ten-Year Plan. It was envisaged that the Territory could specialize in manufacturing, using raw materials produced in the vast neighbouring territories where there was a manpower shortage, and import the necessary food and other goods it required. Under the Plan, it was proposed to set up an office to promote, through processing, an increase in the value of indigenous produce and stock-breeding and to develop the Territory's internal and external markets. The formation of indigenous co-operatives was also planned. The first two of these, which were consumers' co-operatives, were about to begin operations, the Administering Authority reported, and others, for artisans, cotton and food producers, were about to be formed. The establishment of a stock-raisers' association, cotton, coffee and oil producers' co-operatives, peach-growers' co-operatives, hotels and public transport undertakings were also contemplated under the Ten-Year Plan. According to the Plan, the prevailing economic conditions in the Territory would appear to favour three principal industries—the processing of meat and animal by-products, manufacture of fertilizers and the production of sugar. In addition, the possibility of developing or establishing local industries for the processing and treatment of coffee, cotton, palm oil and palmetto nuts, wheat, fibres and other produce was contemplated.

The Plan, it was stated, relied on the electrification of Ruanda-Urundi to stimulate industrialization; for this purpose, it was planned to harness the hydroelectric resources of the Ruzizi River, which has a potential of nearly 600,000 horsepower. The Administering Authority furnished the Trusteeship Council with a full text of the agreement for the establishment of a syndicate for the electrification of part of the Kivu province in the Belgian Congo and of Ruanda-Urundi. The Council expressed its appreciation of this action and noted that the Trust Territory would benefit considerably from the enterprise.

The Visiting Mission, noting that the Ten-Year Plan foresaw a threefold increase, in ten years, in the indigenous consumption of cotton fabrics, expressed the opinion that the Administration should do its utmost to promote the establishment of a cotton textile factory in the Territory. During the Trusteeship Council's eleventh

session, however, the special representative of the Administering Authority stated that this was considered premature as current local needs could be met by duty-free imports from a nearby factory in the Belgian Congo. Should the Trust Territory's needs increase, he added, the Administration would reconsider the matter.

In its annual report, the Administering Authority stated that the indigenous inhabitants were playing an increasing part in the economic life of Ruanda-Urundi. It pointed, *inter alia*, to the progressive increase in indigenous internal trading establishments, from 21 in 1948 to 647 in 1951, when 37 per cent of such trade was in indigenous hands.

The Visiting Mission, on the other hand, was of the opinion that the indigenous inhabitants had only a minor role in the economy and that they should participate more widely and with a greater measure of responsibility. In this connexion, the Mission noted with satisfaction a statement to the same effect in the Ten-Year Plan and understood that the Administration's policy was to encourage such participation. It drew attention, however, to observations in the Ten-Year Plan on the part to be played by European settlers and the indigenous inhabitants and quoted the following passage from the Plan:

"The development of the non-indigenous settlements would be hindered by the widespread organization of indigenous processing co-operatives, which would, moreover, have to enlist the services of European employees. Under present conditions, the best way to distribute profits equitably and to make the best use of skills is to have indigenous co-operatives working hand in hand with non-indigenous industrial settlers, the former responsible for production and the latter for processing."

The Mission stated that it did not propose to draw far-reaching conclusions from this isolated passage, which seemed to assign to the indigenous inhabitants a restricted role in the economic life of the Territory.

The Administering Authority explained that it was not its intention to reserve a position in the economy for non-indigenous inhabitants. If they appeared to monopolize certain functions it was for the reason that they alone could exercise them, either because of their training or on account of their financial means. It added that the indigenous inhabitants, through education and training, were gradually becoming more capable of assuming a fuller part in the economy.

The Trusteeship Council noted the evidence of increasing participation by the indigenous inhabitants in the economy, including the increased number of indigenous trading centres and the steps

taken to organize indigenous co-operatives. It expressed the hope that, as these and other measures became more widespread and more firmly established, steps would be taken to assist the inhabitants to participate in other aspects of the economy, such as the development of secondary industries, as part of the economic activity being stimulated by the Ten-Year Plan.

Territorial revenue for 1951, according to the annual report, totalled provisionally 490 million francs, including 110 million francs from indigenous taxes (poll, polygamy and cattle) and 189 million francs from customs duties. Revenue for the year had been estimated at 321 million francs and expenditure at 364 million francs. These figures in the ordinary budget included neither the budgets of the indigenous treasuries of the two pays and the chiefdoms, which had an aggregate revenue of 60 million francs and expenditure of 55 million francs in 1951, nor the 1951 programme of the Fonds du bien-être indigène, which anticipated an expenditure of 50 million francs. Expenditure under the extraordinary budget for 1951 was estimated at 161 million francs, chiefly for roads, ports and miscellaneous constructions. It was to be financed by a reimbursable non-interest-bearing advance from Belgium which would raise the public debt of Ruanda-Urundi to 320 million francs.

c. SOCIAL DEVELOPMENT

According to the Administering Authority's annual report, the number of indigenous workers in permanent employment rose from 51,948 in 1947 to 81,190 in 1951—24,434 in industry, 10,738 in agriculture, 10,002 in commerce, 15,195 in religious missions, 14,344 in the administrative services and 6,477 in other occupations. In addition, 46,266 indigenous workers were in non-permanent employment in the Trust Territory in 1951. A continued reduction was reported in the number of seasonal workers emigrating to neighbouring territories; they totalled 37,588 in 1951. Because of the accompanying social dislocations, the Visiting Mission felt that large-scale seasonal migration of labour from Ruanda-Urundi was not desirable.

Legislation governing indigenous labour within the Territory is based on the Decree of 16 March 1922, which sets forth the rights and duties of master and Native worker, employee and domestic help. The Administering Authority reported that in 1951, 1,246 indigenous workers were sentenced to imprisonment for desertion from work or dereliction of duty; 288 were sen-

tenced to fines on the same counts and three were acquitted. In 1950 the figures had been respectively: 974; 206; and 87. In 1951 thirteen employers were ordered to pay fines for various infringements of labour contracts. The Trusteeship Council, which had in 1950 recommended the abolition, as soon as practicable, of penal sanctions for breach of labour contracts, was informed at its eleventh session in June 1952 that a draft decree was being studied which would reduce the number of such cases.

In its report, the Administering Authority stated that a labour inspector was appointed in 1951 to supervise the strict observance of conditions of employment. Although trade union legislation existed, the Administering Authority reported, no indigenous trade union had yet requested recognition. Three Commissions had been set up in 1949 to develop among the workers and their families a better knowledge of their interests and social duties and a feeling of responsibility towards their work; each Commission had met twice during 1951. The Visiting Mission considered the presence of indigenous representatives on these Commissions of great importance from the educational point of view. Due to the lack of training and trade union experience of the indigenous representatives and their generally reticent nature, however, the Mission felt that the burden of protecting the interests of indigenous workers undoubtedly rested with the Administration's representatives. It observed that trade union activity should be further developed and workers should be given more encouragement to study questions affecting their own interests.

The Administering Authority indicated that a survey started in 1951 showed a notable improvement in the standard of living; this was corroborated by an increased volume of purchases at trading depots. Daily wage rates at Usumbura in 1951 averaged ten to twelve francs for a labourer and seven to ten francs for an agricultural worker; for skilled workers they were higher—40 to 100 francs for a driver and 25 to 100 francs for a typist, for example. The Mission considered that the wage level was still low and expressed its conviction that further increases were essential for the Territory's advancement. It had the impression that there was a tendency to favour the maintenance of an economy based on low wages and to justify the existing wage level on the ground of the low productivity of indigenous workers. While the Mission recognized that a considerable increase in labour productivity was needed, it felt that greater incentives should be given to workers to acquire new skills and

fit themselves for more responsible and better paid occupations. According to the Ten-Year Plan, the existing wage level was economically justified in view of the generally poor quality of the work, but was not justified from a social viewpoint. The Government's policy, it was stated, was to advance gradually towards a minimum living wage and to go beyond that when the quality of the manpower had improved. The Administering Authority indicated that in 1951, at Usumbura the statutory minimum wage was 66 per cent of the minimum living wage and, in the interior, 64 per cent of the minimum living wage; in 1952 it would rise to 72 and 71 per cent, respectively. It was noted, however, that in practice the wage paid was generally higher than the statutory minimum. Low productivity, cited in the Ten-Year Plan as the essential manpower problem, was attributed to obstacles related to custom, poor health and deficient diet, and to the lack of vocational training and skill. Measures to overcome these obstacles were included in the Plan. The Mission noted with satisfaction that attention had been given in the Plan to the manpower question and pointed to the need for vigorous Government intervention to increase labour productivity and raise the level of wages.

Recalling its previous recommendations for a review of legislation involving racial discrimination, the Trusteeship Council at its eleventh session gave particular attention to regulations limiting the movement of persons. Under these regulations, an indigenous inhabitant may not leave his chiefdom, nor may he leave his residence to stay in a part of the chiefdom over which non-indigenous inhabitants hold private rights for a continuous period of more than 30 days without a "transfer passport" from the chief or his deputy. In addition, in urban areas, European centres, or in designated parts thereof, the indigenous inhabitants are not allowed to move about between 10 p.m. and 4:30 a.m. unless required to do so by their duties in a public service. During its stay in the Territory, the Visiting Mission received complaints concerning such restrictions, particularly those preventing indigenous inhabitants from moving about freely at night in the urban areas. Several reasons were advanced to the Mission in justification of this measure, including the need to take proper precautions against theft and other offences, but the Mission expressed the opinion that the desired results could be achieved by other measures. During the Council's eleventh session, the special representative of the Administering Authority stated that the regulations were not discriminatory and were simply a measure of

protection against robbers. When the Administration could set up a system of street lighting and organize a well disciplined indigenous police force, he added, the regulations could easily be cancelled.

The Trusteeship Council nevertheless recommended that consideration be given to the possibility of adopting at an early date alternative measures which would not give an impression of racial discrimination. It also recommended that the Administering Authority review as a whole the regulations dealing with the movement of persons which restrict the personal liberty of the inhabitants.

The Mission received petitions (T/Pet.3/48, 50, 51 and 53)⁴² complaining of discrimination against Africans in judicial matters and in admittance to hotels and restaurants. Since the Council had already made recommendations concerning questions of discrimination, it did not adopt a resolution on these petitions. Two other petitions (T/Pet.3/39 and 55), from the Union des colons du Ruanda-Urundi, claimed, by contrast, that there was racial discrimination against the Europeans, for example in judicial matters, social and labour legislation, expulsion from the Territory and electoral matters. Commenting on these petitions, the Administering Authority observed (T/943 and 961 and T/C.2/SR.32) that, with respect to some of the situations complained of by the petitioners, special protection was accorded to indigenous inhabitants and that in other instances no question of discrimination was involved. By resolution 491(XI) of 10 July 1952, the Council called the attention of the petitioners to the Administering Authority's observations and decided that in the circumstances no recommendation was necessary.

The Administering Authority reported that the penitentiary system was being revised and that the new system would provide for more selective and effective segregation of convicts, their close confinement, a more systematic and rational arrangement of their work, and the training of staff for the responsible and other posts in penitentiaries. With respect to corporal punishment, the Administering Authority stated that, effective 18 December 1951, Native courts were no longer authorized to order whipping as a sentence; before that date, 2,600 sentences of flogging were imposed during 1951 by the indigenous courts. Whipping remained legal as a disciplinary measure for second class soldiers and in prisons, subject to certain restrictions. In 1951 whipping was

⁴² For names of petitioners, see Annex.

applied as a disciplinary measure in prisons in 4,380 cases, the punishment varying from one to eight lashes; as from 20 September 1951 the maximum number of lashes was reduced from eight to four. The special representative informed the Trusteeship Council during its eleventh session that the Administration wished to abolish the penalty of whipping completely, as had been repeatedly recommended by both the Council and the General Assembly, but for the moment it desired to retain the penalty in principle until the rearrangement of existing prisons would allow its replacement by solitary confinement.

Reporting on public health services, the Administering Authority stated that about 93 million francs were allocated to the medical service in 1951. Medical facilities comprised one mixed hospital for Europeans and Asians, 35 hospitals for indigenous inhabitants (including a new hospital inaugurated at Usumbura in July 1951), 89 dispensaries, six maternity hospitals, and one isolation hospital for sleeping-sickness cases. In addition, eight new rural dispensaries, three maternity hospitals and one sanatorium were under construction. At the end of 1951, the European medical staff, including the Government staff, comprised 63 medical practitioners (54 in 1950), 3 pharmacists (2 in 1950), 2 dentists (2 in 1950), 19 midwives (18 in 1950), 28 nurses (30 in 1950), 14 colonial nursing assistants (12 in 1950), 60 medical assistants and health officers (37 in 1950). The indigenous staff consisted of 28 medical assistants (17 in 1950), 40 certificated male nurses (47 in 1950), 482 assistant nurses (443 in 1950) and 78 assistant midwives (67 in 1950). The total number of consultations in 1951 was 7,884,663 for the indigenous population, 18,230 for Europeans, 7,243 for Asians and 1,466 for Eurasians. In addition, 46 infants' clinics gave 800,237 consultations, as against 692,522 the year before.

Other action affecting public health and hygiene, according to the annual report, included: continued training of personnel; improvement in the refuse disposal service; continuation of campaigns against relapsing fever and trypanosomiasis (sleeping sickness); and the teaching of hygiene in schools, social service centres, pre-natal clinics and infants' clinics. The anti-tuberculosis mission from the Centre of Medical Research of the University of Brussels examined 130,000 indigenous inhabitants and detected 2,423 cases of pulmonary tuberculosis. The laboratory at Astrida continued bacteriological and serological diagnosis. In April 1951, the Institut pour la recherche scientifique en Afrique centrale undertook epidemiological

research concerning the anopheles mosquito and malaria and the tsetse fly and trypanosomiasis.

Under the Ten-Year Plan it was proposed to improve, expand and increase health facilities and to increase the medical staff; to intensify sanitation and maternal and child welfare programmes; to construct two laboratories, a pharmaceutical depot, two tuberculosis sanatoria, a mental hospital and two lepers' farm villages; and to purchase 30 ambulances. The Plan also provided for the expansion of the water supply. The full cost, estimated at 450 million francs, of supplying the customary districts with water is to be assumed by the Fonds du bien-être indigène; in 1952, the hydrological mission will have an appropriation of 91 million francs to purchase the necessary heavy equipment. During 1951 this mission laid pipes from 1,500 springs in the rural areas and dug about 20 water holes.

The Visiting Mission to the Territory was impressed by the substantial results achieved by the Administering Authority in the field of medical and public health services and by the hospitals and dispensaries which it visited. It felt, however, that the number of dentists should be increased and that special consideration should be given to the possibility of training indigenous doctors.

The Mission's conclusion concerning the medical and health services, as well as the valuable assistance given these services by private agencies and scientific bodies in Belgium, was noted with satisfaction by the Trusteeship Council. The Council commended the Administering Authority in particular for the special campaigns against tuberculosis, malaria and other diseases. Recognizing the need for the further expansion of the medical and health services, the Council welcomed the prominence given to this problem in the Ten-Year Plan. It urged the Administering Authority to give the problem continued attention and to consider including the training of indigenous medical practitioners on a larger scale in its future programmes.

d. EDUCATIONAL DEVELOPMENT

According to the Administering Authority's annual report, expenditure on education in 1950 amounted to 32.1 million francs, of which 24.7 million francs represented subsidies to missions; incomplete figures showed an expenditure of 27 million francs in 1951, including 19.8 million francs in subsidies. In addition, 12 million francs were appropriated in the special budget for 1951 for building, and 23.3 million francs were contributed for school construction by the Fonds du

bien-être indigène. The Administering Authority stated that education at all levels was free and that over 75 per cent of the pupils who were boarders paid no boarding fees.

Primary education for the indigenous inhabitants other than that offered by the government school at Astrida, in which 674 pupils were enrolled, was provided almost exclusively by Catholic and Protestant missions and was subsidized by the Government. In 1951 a total of 139,327 pupils, mostly boys, attended denominational primary schools, which included 3,203 classes, 2,400 of which were lower primary classes providing instruction only through the third year. In addition, 988 children attended Moslem schools. The missions also conducted chapel or reading schools designed primarily to give religious instruction and prepare persons of all ages for baptism; these were attended by 325,552 persons in 1951, according to reports from the missions. The Administering Authority praised the valuable contribution toward the elimination of illiteracy by the Christian missionaries, who insisted that the children of their followers should attend school regularly and generally accepted for baptism only those who could read.

Government post-primary education for the indigenous inhabitants is given at the Astrida School Centre, with a teaching staff of 22 Europeans; in 1951 a total of 286 boys were receiving secondary education and 170 were attending administrative, agricultural, medical and veterinary courses. Pending completion under the Ten-Year Plan of a Latin secondary school in Ruanda, 60 students from Ruanda-Urundi were attending the Latin secondary school in the Kivu Province of the Belgian Congo. Other post-primary schools within Ruanda-Urundi included seven domestic science schools (with 140 pupils); craft apprenticeship schools and auxiliary schools (with 453 pupils) run by Catholic missions; and a government vocational school opened in 1951 at Usumbura (with 44 pupils). Teacher-training schools (écoles de moniteurs) and teacher-trainee centres operated by the missions were attended by 712 students. The Administering Authority stated that the establishment of a teacher-training department at the Astrida School Centre in 1952 was planned.

Higher or post-secondary education remained limited to the seminaries and various departments of the Astrida School Centre, but the Administering Authority planned to set up a university centre in Ruanda-Urundi by 1960.

The Administering Authority considered that, given the available facilities for secondary edu-

cation, it would be necessary during the next few years to limit the number of secondary school students in proportion to the requirements, employment openings and even the physical facilities. Similarly, admission to higher or post-secondary education was limited by the physical capacity of the Astrida School Centre and was restricted to properly qualified candidates. The Administering Authority felt that it would be socially dangerous and detrimental to the future of the Territory if unqualified persons were accepted for training as potential indigenous leaders. The Administering Authority stated that, although it preferred that the people should be educated within the Territory, it encouraged study abroad if this was warranted by the ability and previous education of the candidates. In 1951, it reported, sixteen indigenous students from Ruanda-Urundi were attending courses at the Lovanium university centre in the Belgian Congo, five were attending the postal and telecommunications schools at Leopoldville in the Belgian Congo and one was receiving higher education in Belgium. Indigenous Roman Catholic priests had studied in Rome and an indigenous Protestant minister had attended a college in the United Kingdom.

Programmes for the further development of education were included in the Ten-Year Plan. In the case of boys' education, the Plan stated that the objective in the past had been to provide elementary education for the mass of the indigenous inhabitants and to equip Ruanda-Urundi with the nucleus of an intellectual elite, while the task in the future was gradually to build up an intermediate elite of skilled craftsmen. The Plan included provisions for more schools at the elementary, intermediate and secondary levels as well as schools for teacher training and vocational training. As regards girls' education the programme was mainly designed gradually to close the substantial gap between the educational facilities for girls and those for boys; it included provisions for additional primary, domestic science and teacher-training schools.

The Visiting Mission noted that, although education in Ruanda-Urundi had made significant progress, great efforts were still required to eliminate illiteracy and to establish a comprehensive educational system throughout the Territory. Without the co-operation of the religious missions, the Visiting Mission stated, it would clearly have been impossible to establish as many schools in Ruanda-Urundi. The Mission was also favourably impressed by the conditions in many of the schools visited and by the evident ability and devotion of the missionaries. However, it expressed its con-

sidered opinion that the Administration should take a more direct part in education by establishing official secular schools and by ensuring a more complete supervision of existing schools. The Mission added that it was essential to the Territory's educational progress for the Administration to have under its immediate direction schools in which experiments with syllabuses and teaching methods could be made and standards set for other schools. Calling attention to the existence of a common educational system for both Ruanda-Urundi and the Belgian Congo, the Mission stated that an Administering Authority should establish in a Trust Territory an educational programme designed especially for the needs of the Territory in the light of its international status and of prevailing conditions.

The Mission considered that, although the measures envisaged in the Ten-Year Plan would certainly contribute to the improvement of existing school facilities, they were too limited in scope. Moreover, they did not touch upon two important problems: the length of study in lower primary schools, which the Mission felt should be gradually extended; and the improvement of the chapel and reading schools. These, the Mission considered, might be developed into an enlarged primary school system if they had government supervision and were provided with improved equipment and better trained teachers. The Mission also suggested that the Administering Authority should furnish more detailed statistics to permit an appraisal of the value and scope of primary education in the Territory.

The Mission considered that the problem of providing primary education for Asian and Eurafrikan children deserved special attention. The Administering Authority indicated in its annual report that school facilities for non-indigenous inhabitants included one government primary school for Europeans at Usumbura, attended by 129 pupils in 1951, and one for Asians, attended by 213 pupils; two mission primary schools for Europeans, one at Usumbura, with 117 pupils, and one at Astrida, with 114 pupils; and classes for Asians in various other places, attended by 71 pupils. The Mission reported that it had received complaints from Asians living outside Usumbura concerning the difficulties of securing education for their children; cases were cited of Asian children who had allegedly been refused admission to certain schools. As for Eurafrikan children, those recognized by their fathers or adopted by Europeans might be admitted to schools for Europeans if accepted by an admissions board;

those not admitted to such schools might be admitted to ordinary or special institutions run by religious missions. The Visiting Mission felt that the situation illustrated the desirability of establishing a number of government non-denominational schools open to applicants of all races and religions.

Turning to the question of teacher training, the Mission expressed the view that the general level of the students, particularly those admitted in the teacher-trainee centres, was too low and that entrance requirements should be raised as rapidly as possible. Noting that under the Ten-Year Plan girls would still presumably be unable to proceed through secondary schools to higher education, the Mission expressed the hope that, if that interpretation was correct, the Administration would reconsider its plans and make more satisfactory provision for the education of women.

With respect to higher education in general, the Mission noted that there would be no graduates of secondary schools before 1954-55 and no students qualified for admission to institutions of higher education in Europe. It suggested that it would be desirable meanwhile to arrange for some form of advanced training for a selected group of capable young Africans. In this connexion, it observed, the Administration might consult UNESCO and the Technical Assistance Administration of the United Nations. The Mission considered inconclusive the argument advanced by officials to the effect that it would be unwise to send African students abroad because they would find themselves in the wrong environment. It pointed to the need for any country aiming at self-government or independence to develop contacts with other cultures and to educate its potential leaders in comparative methods of government.

In commenting on the Mission's report during the eleventh session of the Trusteeship Council, the special representative of the Administering Authority stated that the Administration would establish secular schools when the need arose. Meanwhile, it considered that it should use its resources in placing educational facilities at the disposal of the greatest possible number of indigenous inhabitants without creating, in principle, establishments which would be extremely costly and for which the need had not yet been felt. The special representative agreed with the Mission's view that the general educational level of students admitted to teacher-training schools was too low, but pointed out that the number of moniteurs would be considerably diminished if a higher level were demanded at present. The Ad-

ministration, he stated, had certain reservations to the sending of indigenous students to foreign universities. While not formally opposed to that course, it maintained that such students should first have had a secondary education; in the existing circumstances, it would therefore be necessary to send students not to universities but to secondary schools, and this would involve considerable expense and the risk of their not qualifying for university study. Moreover, it was not possible to form abroad the whole elite which the Territory needed. The Administration accordingly felt that the problem should be solved by organizing within the Territory secondary and higher educational facilities comparable to similar institutions abroad. Only then could the Administration create scholarships for study abroad by those students who had completed their higher training.

The Trusteeship Council recognized the substantial contribution made by the religious missions in the field of education. Nevertheless, it considered it desirable that the Administration should exercise more direct intervention in the education of the inhabitants. It urged the Administering Authority to supervise the elementary mission schools (reading schools) more closely and, where conditions justified it, to establish additional government schools. The Council further recommended that the Administering Authority develop and extend existing facilities for secondary and higher education in the Territory and, in addition, provide scholarships to indigenous students to pursue their studies abroad. Finally, the Council asked the Administering Authority to take the necessary steps to improve teacher-training facilities in the Territory.

2. Somaliland, Administered by Italy

This Territory consists of approximately 500,000 square kilometres. According to the annual report⁴³ of the Administering Authority its estimated population at the end of 1951 numbered 1,242,199 indigenous inhabitants, 23,000 Arabs and 1,000 Indians and Pakistanis; there were also 4,744 Italian residents, as compared with 4,235 at the end of 1950.

The Administering Authority reported that the Italian Parliament, by Act 1301 of 4 November 1951, the text of which was made available to the Trusteeship Council (T/954/Add.1), had ratified the Trusteeship Agreement for the Territory, thus making the Declaration of Constitutional Principles annexed to the Agreement⁴⁴ an integral part of Italian law.

a. UNITED NATIONS ADVISORY COUNCIL

The United Nations Advisory Council, established under the Agreement to aid and advise the Administering Authority, reported (T/979) on its activities during the year 1 April 1951 to 31 March 1952. It stated that since its establishment on 1 April 1950 it had held 55 meetings, including 40 during the year under review, but that all three of its members—the representatives of Colombia, Egypt and the Philippines—were present in Mogadiscio for only 123 days, and during the year under review only from 1 to 22 April 1951. **Over** the two-year period, a quorum of two members existed for 354 days but, the Advisory Council stated, it had been unable to function properly with only two members present since differences of opinion arose, particularly with respect to the method of dealing with communications addressed directly to the Council.

In this connexion, rule 45 of the Advisory Council's rules of procedure provided that all "petitions . . . which do not contain a request for a specific action by the Advisory Council, if received by the Advisory Council shall be transmitted to the Secretary-General for submission to the Trusteeship Council." The representatives of Colombia and Egypt considered that the Advisory Council should deal unofficially with those communications addressed directly to it as long as the Administering Authority was ready to discuss the relevant complaints with representatives of the Council in a spirit of co-operation. The representative of the Philippines, on the other hand, maintained that communications calling for specific action by the Advisory Council were within the Council's legal competence and should be dealt with officially.

In its report, the Advisory Council gave an account of the advice it had given, on request, to the Administration; according to the Administering Authority's annual report, most of the advice was accepted. Advice was given, inter alia, on: the establishment of Municipal

⁴³ Italy, Ministère des Affaires Etrangères, Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie 1951 (Rome, 1952). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Eleventh Session (3 June—24 July 1952); summaries of the observations of individual Council members are included in the Council's report to the General Assembly (A/2150).

⁴⁴ For text of the Agreement and the annexed Declaration of Constitutional Principles, see Y.U.N., 1950, pp. 802-806.

Councils; reforms of the Territorial and Residency Councils; regulations to control the establishment of new economic enterprises and private insurance companies and to govern fishing rights and mining; a draft ordinance to tax the income of agricultural enterprises; the establishment of central economic and health councils; the creation of labour offices and a labour inspectorate service; compulsory industrial accident insurance; salaries for locally-recruited teachers; and the transfer of the power to grant pardons.

The representative of the Philippines annexed to the Advisory Council's report a statement expressing his views on certain aspects of the Council's work and of the Administering Authority's policies and methods of administration. Observations of the Advisory Council, as well as of the representative of the Philippines, are referred to below in connexion with specific subjects.

Factors restricting the effectiveness of the Advisory Council were also referred to by the Visiting Mission. In addition to a considerable degree of disharmony among the representatives and the absence of one or more of them from Mogadiscio for long periods, the Mission noted that elements of the indigenous population misunderstood the Council's position vis-a-vis the Administration and, in any instance of dissatisfaction, appealed at once to Council representatives with the apparent expectation that their desires would be met. The Mission felt that the difficulties and dangers of the situation were apparent and that heavy responsibilities were thus placed on the Advisory Council.

The Trusteeship Council, noting that the role of the Advisory Council was to aid and advise the Administering Authority, expressed the hope that all three members would participate fully in its work and remain in the Territory for sufficient periods of time to enable it to function effectively and harmoniously.

b. POLITICAL DEVELOPMENT

According to the annual report, there were no major changes in the Territory's administrative structure during 1951. Executive authority remained vested in the Administrator, who also retained legislative powers until the establishment of an elective legislature. In the political field, the Administering Authority stated, development had been rapid, with representative organs of government increasingly assuming their functions.

The Territorial Council held three sessions during 1951. It was reorganized in 1952, the Administering Authority reported, less emphasis being given to tribal representation and the representation of political parties and economic groups, in particular, being enlarged. The total number of seats was increased from 35 to 45, and those allotted to Somalis from 28 to 37. The Administering Authority reported that the Residency Councils, established in each of the 27 Residencies, had functioned throughout 1951. Their composition was also modified in 1952 and the representation of political parties increased. Other developments in the political field included the establishment in 1951 of Municipal Councils in Mogadiscio and in 32 communities throughout the Territory. These Councils were initially given purely advisory functions, the Administering Authority indicated, but in certain important matters consultation with them was obligatory. The Administering Authority reported that a civil registry system, to be established in the municipal communities, would permit the introduction of a system of suffrage in these communities.

The Territorial Council, as reconstituted, comprised 21 regional (formerly tribal) representatives, twelve representatives of political parties, eight of economic groups and one each of cultural groups, the Italian community, the Arab community, and the Indian and Pakistani community. The twelve seats allotted to political parties were distributed as follows: five to the Somali Youth League, three to the Hisbia Dighil Mirifle, two to the Unione Nazionale Somala, and one each to the Unione Africana Somalia and the Lega Progressista Somala. Although thirteen political parties had been granted legal recognition, these five were the only active ones, the Administering Authority stated. The Somali Youth League was said by the Administering Authority to favour rapid and radical change, including the abolition of traditional institutions. The other four, the nucleus of the disbanding Conferenza Party, represented, according to the Administering Authority, a moderate-progressive point of view, seeking Territorial independence together with a gradual replacement of traditional institutions. The Administering Authority estimated that the Somali Youth League had about 12,000 members while the other four parties together had about 20,000 members. The Visiting Mission was of the opinion that these estimates might be low.

The Advisory Council reported that most of its recommendations on the reconstitution of the

Territorial Council were accepted by the Administering Authority, but that the following were rejected:

(1) that the "progressive" and "moderate progressive" political parties be given an equal number of seats; (2) that the Hamar Youth Club be given a seat as a political party; (3) that the "double list", whereby the Administrator nominated members from lists containing twice as many names as the number of seats to be filled, be replaced by a single list; and (4) that provision be made for holding extraordinary plenary sessions of the Territorial Council.

The Hamar Youth Club complained (T/Pet.11/41) that it had been unjustly excluded from the Territorial Council, and the Administering Authority stated (T/952 and T/C.2/SR.31) that this Club had recently been recognized as a political party instead of a cultural organization and would be entitled to representation in the Territorial Council when it had at least five registered branches in the interior of Somaliland. Noting this, the Trusteeship Council, by resolution 497(XI) adopted on 10 July 1952 by 10 votes to 1, concluded that a basis for a satisfactory settlement had been provided.

In the opinion of the Visiting Mission, substantial and rapid development in the organization and procedures of the Territorial Council would be necessary if it were to become a legislative body within the remaining period of Trusteeship. The Mission felt that to combine proportional representation of political parties with representation of functional groups was unnecessarily complicated and suggested that fuller use be made of the principle of Territorial representation, which was already applied in the selection of regional representatives. It might be possible initially, it felt, to provide for elections to the Territorial Council from municipal constituencies and for the nomination or indirect election of members from rural districts. Moreover, the introduction of elections in municipal centres, the Mission stated, should not be made conditional on the establishment of a civil registry, since only a simple system for the registration of voters was required.

In his statement annexed to the Advisory Council's report, the representative of the Philippines expressed the view that more vigorous "progressive" young men should be appointed to the Territorial Council in lieu of tribal chiefs and that the procedure of the deliberations could be improved.

It was alleged in a number of petitions⁴⁵ that the real chiefs and representatives of the people were excluded from sitting on the Territorial, Residency or Municipal Councils, which

were said to comprise only pro-Italian elements and illiterates appointed by the Administration.

In reply, the Administering Authority explained (T/952) with reference to the Territorial Council that, in view of the low educational level of the Somali population, which excluded the possibility of a modern electoral system, it had been necessary to establish methods of composition and selection which would mirror as accurately as possible the existing structure of the Somali community, which was over three-quarters traditionalist and tribal and less than one-quarter "progressive". The Residency Councils, the Administering Authority stated (T/978), were composed of chiefs elected by tribal assemblies and representatives chosen by the political parties, and the Residency Councils in turn designated the members of the Municipal Councils.

In its annual report, the Administering Authority stated that the draft legislation for modifying the political bodies had included a provision designed to give Somalis more opportunity to express their views more frequently on the question of tribal leadership by requiring that tribal assemblies be held every two or three years to elect the tribal chiefs or to confirm their tenure of office. Although a majority of the Territorial Council had expressed opposition to this provision, the Administering Authority informed the Trusteeship Council that it would nevertheless be reintroduced in the future when legislation was introduced to modify further the powers and composition of the Territorial Council.

As to the functioning of various Councils, the Visiting Mission noted that the Territorial Council's procedures had not developed beyond an elementary stage and it urged that functional committees, which it considered indispensable to a legislative process, should be established in the Council. The Residency Councils, it appeared to the Mission, were handicapped by the rigidly localized political outlook of many Somalis and their lack of familiarity with procedures of modern administration. The Mission expressed the hope that Administration officials would continue and extend throughout the Territory their efforts to explain methods of discussion and action to Residency Council members and that all other necessary measures would be taken to ensure the rapid development of these local Councils into genuinely representative democratic bodies. Since the Municipal Councils had been established only

⁴⁵ T/Pet.11/40, 41, 70, 79-81, 112 & Add.2, 120, 121, 157, 230. For names of petitioners, see Annex.

a short time before its visit, the Mission was unable to comment on their operation, but it noted that authority was vested entirely in the Resident. It also noted, however, that the Administration expected a steady and continuous development in municipal government; it expressed the hope that the necessary steps would be taken to ensure the early establishment of municipal administrations having administrative and financial autonomy.

In its observations on the Mission's report, the Administering Authority stated (T/1006) that several of the Mission's suggestions with respect to the functioning of the Territorial Council had already been followed in the course of the progressive transformation of that Council, which was destined to become the Territory's Legislative Assembly. It added that the Permanent Committee of the Council had been transformed in 1952 into a functional committee and would be divided into political and economic sections as soon as possible.

This was noted with satisfaction by the Trusteeship Council, which recommended that particular attention be given to developing further the use of functional committees, not only in the Territorial Council but in the Residency and Municipal Councils as well, in order that the practical political experience of the representatives in these bodies might be increased. The Trusteeship Council further recommended that the Administering Authority proceed with its plans to hold direct elections in the towns and villages for members of the Municipal Councils and of the Territorial Council. Such elections, the Trusteeship Council felt, would not only represent an important step towards full participation of the inhabitants in the political life of the Territory, but would also largely eliminate the difficulties caused by the existing system of proportional representation, which had been viewed with concern by the Visiting Mission. The Council also expressed the hope that the promising development of political maturity among Somalis and the increasingly representative character of the political bodies would provide a basis for a progressive expansion of their powers. Noting that the measures proposed by the Administering Authority for introducing democratic procedures in the tribal assemblies had not been endorsed by the Territorial Council, the Trusteeship Council called the attention of this Council and of the representatives of public opinion to the advantages which the Territory would derive from such measures and urged the Administering Authority to continue its efforts to this end.

The relatively high degree of development of political party activity in the Territory was described by the Visiting Mission as one of the most interesting features of Somali life. The Mission observed, however, that political issues of little more than historical significance still dominated the political outlook of many groups and that attitudes towards the return of the Italian administration still played a disproportionately large part in determining political party alignment although it found the attitude toward traditional forms of tribal organization a factor of increasing significance. The Mission reported that it heard numerous representations from political parties concerning their standing, the administration of the Territory and general conditions in Somaliland, and that it found many of the claims to be exaggerated. Existing political tensions would be relaxed only when political parties replaced their present somewhat sterile activities by a comparably intense interest in the solution of social and economic problems, the Mission stated, and it expressed the hope that the leaders of political parties would emphasize increasingly the constructive aspect of their role. The Mission noted that political party activities were still regulated by a proclamation issued during the former period of British Military Administration and expressed the view that more suitable legislation should be enacted.

In petitions (T/Pet.11/40 and 120) before the Trusteeship Council, the Central Committee of the Somali Youth League expressed its opposition to the Italian administration, which it claimed was not implementing the Trusteeship Agreement. It alleged, *inter alia*, that former Fascist and colonial laws were still in force, former Fascist rulers returned to office, and a policy of "divide and rule" followed. Members and sympathizers of the Somali Youth League were continuously arrested, imprisoned and convicted, the Central Committee alleged, and the Administration did everything in its power to suppress the national movement for independence.

Similar allegations were contained in petitions from various branches of the League,⁴⁶ from the *Unione Giovani Benadir* (formerly called the *Hamar Youth Club*) (T/Pet.11/121) from a faction of the *Hisbia Dighil and Mirifle Party* (T/Pet.11/109) and from individuals (T/Pet.11/101,103,117). The faction of the *Hisbia Dighil and Mirifle Party* contended that the Administration had interfered with the operation of

⁴⁶ T/Pet.11/33, 49, 53, 57, 64, 90, 146, 157, 169, 176, 191, 224.

the Party which, although originally in favour of the Administering Authority, now opposed it because of its failure to promote the Territory's progress towards independence. The Central Committee of the Somali Youth League asked that more effective machinery be established to implement the Trusteeship Agreement so as to enable Somaliland to become independent by the end of 1960. In particular, it requested that:

(1) a separate Questionnaire be drawn up for Somaliland; (2) a different procedure be followed in the examination of the annual report and petitions; (3) a separate Visiting Mission be sent to the Territory every two years; (4) the United Nations Advisory Council be given more power, in particular to deal with petitions and to investigate serious incidents; and (5) the Somali Youth League be allowed to participate in the Trusteeship Council's debates on Somaliland.

One petition (T/Pet.11/101) requested direct administration by the United Nations.

On the other hand, satisfaction with the achievements of the Administering Authority was expressed in petitions from other parties, including the other faction of the Hisbia Dighil Mirifle (T/Pet.11/76 and 110), the Lega Progressista Somala (T/Pet.11/153,193,195), the Unione Africani Somalia (T/Pet.11/75, 78, 91, 93-96), the Somalia Conference (T/Pet.11/174) and the Unione Maniferro Somalia (T/Pet.11/111). These parties asserted, however, that the Administration showed preference for the very parties which opposed it. Some claimed that the Somali Youth League pursued a policy of nationalistic extremism and fomented political agitation.

In its observations (T/952, 978) on these petitions, the Administering Authority stated that the allegations of the Somali Youth League were groundless. It added that the complaints from other parties to the effect that it was indulgent towards oppositionist elements further demonstrated that those allegations were without serious foundation. The Administering Authority assured the Trusteeship Council that it made impartial use of every constructive element in the two opposing political movements and had no other concern than to carry out its commitments under the Trusteeship Agreement.⁴⁷

In nine separate resolutions⁴⁸ on petitions from branches of the Somali Youth League⁴⁹ and from individuals (T/Pet.11/125 and 144), the Trusteeship Council recommended that the Administering Authority continue to take measures to dissipate the League's feeling that it was discriminated against. These resolutions were adopted on 9 and 10 July 1952, by votes of 10 to 1 in six instances, 9 to 1, with one abstention

in one case (594(XI)) and 10 to none, with 1 abstention in another (561(XI)).

In its report to the General Assembly, the Council expressed its satisfaction at the steps taken by the Administering Authority to give political parties an increased role in the political organs of the Territory. It stated that it shared the hope expressed by the Visiting Mission that the leaders of these parties would emphasize increasingly the constructive aspect of their role. The Council noted that the Administering Authority contemplated a new law regulating the activities of political parties and urged that such a law be put into effect as soon as possible.

The Administering Authority reported that, of 4,504 persons employed in the administrative service during, 1951, a total of 3,730 were Somalis, none of whom occupied a high post, 387 were Italians or other nationals recruited locally or during the British Military Administration and 363 were Italians recruited in Italy. The Administering Authority indicated that a general plan for the increased participation of Somalis in the civil service would be formulated in the near future. It reported that Somalis were being assigned to a relatively large number of responsible posts in certain of the government services such as the customs, post office, police and Residency offices but added that the School of Political Administration had as yet been unable to contribute graduates to the civil service since it was only in its second year and offered a three-year course.

The Visiting Mission considered that, for the Territory to attain independence in nine years, it was essential that a civil service composed primarily of Somalis be formed. It felt that the Administering Authority should be commended for establishing the School of Political Administration, which was designed to produce at least the nucleus of this service within the limited time available. The Mission noted that, within a given category, locally recruited staff frequently received one-third or one-fourth the salary of staff recruited in Italy and it suggested that the Administration should review its salary schedule in order to eliminate inequities. The Mission also suggested that every effort be made to provide in-service training for Somali personnel in the

⁴⁷ Representatives of the two political movements were subsequently heard in the General Assembly; see pp. 640-41.

⁴⁸ Resolutions 495(XI), 501(XI), 505(XI), 508(XI), 513(XI), 526(XI), 544(XI), 561(XI), 594(XI).

⁴⁹ T/Pet.11/33, 49, 53, 57, 64, 90, 191, 224.

administrative service; it also stressed the need for technical staff in connexion with development plans. The representative of the Philippines on the Advisory Council felt that efforts to train Somalis to replace Italians in the civil service were inadequate and should be accelerated through more scholarships for study abroad.

It was stated in a number of petitions⁵⁰ that many Somalis had been discharged from various administrative services, including the police force, and their positions taken by Italians. It was also asserted that Somalis and Italians who performed similar functions were paid at different rates. Several of these petitions, as noted above, were from the Somali Youth League. The *Unione Africana Somalia* maintained, on the other hand, that the Italian Administration had taken over a bureaucracy which was anti-Italian and nationalistic and that only five per cent of the civil service posts were open to members of the *Unione*. Two other petitions (T/Pet.11/163 and 204) commended the Administering Authority for having improved the wages of Somalis in the government service. The Administering Authority pointed out (T/967, 975, 982) that most of the Italian officials had been recruited by the British Military Administration. Under proposed new regulations, it added, any disparity in the treatment of foreigners and Somalis would be eliminated and they would receive the same basic salaries if they had equal capabilities and educational qualifications. It stated that only moral qualifications and potential efficiency were taken into account in hiring personnel and that it did not inquire into political views or party affiliations; it could not therefore meet the request of the *Unione Africana Somalia* for a balanced quota of personnel. The Administering Authority cited specific reasons, including incompetence, for the dismissal of certain individual Somalis. In the case of Somalis on the police force, the Administering Authority stated that they were not permitted to engage in political activities and attributed the dismissal of some of the Somali police officers to their violation of this condition.

The special representative of the Administering Authority further informed the Trusteeship Council during its eleventh session that in 1952 twelve students of the School of Political Administration had been promoted and assigned to higher posts with executive functions, replacing in each case an Italian official. Two were made section chiefs in the central Administration, another executive assistants to a Resident; four Somali police inspectors were in charge of police

stations and many had been placed in charge of customs and post offices.

The measures taken by the Administering Authority to increase the participation of Somalis in the administrative service were viewed with satisfaction by the Trusteeship Council, which expressed the hope that the Administering Authority would be able to extend such measures throughout all administrative services. The Council also noted that the Administering Authority was sending Somali members of the army and police forces abroad for special training and recommended that this programme be extended to other branches of the Administration.

In 1951, as in the previous year, the administration of justice was based on the Italian Penal and Civil Codes and the Somaliland Judiciary Rules, the Administering Authority reported. Koranic and customary law were recognized in civil cases and, to the extent that they did not conflict with the general principles of law, in penal cases when the parties concerned were Moslems. The Administering Authority reported that a draft law for the administration of justice had been presented to the Territorial Council and to the Advisory Council for their opinions. This proposed law would restrict the competence of the *Kadis* to such questions as personal status and inheritances and place all other matters concerning both indigenous and foreign persons within the jurisdiction of the regular Italian courts, which would include indigenous members. A Court of Appeal would be established in the Territory. Administrative officials who were invested with judicial functions would be placed outside the administrative organization for the duration of their service as officers of the judiciary.

Noting that, under the existing system, certain judicial functions were being carried out by the Residents, Regional Commissioners and the Administrator, the Visiting Mission observed that the new regulations should provide for a clear separation of executive and judicial functions in accordance with article 7 of the Declaration of Constitutional Principles annexed to the Trusteeship Agreement. The Mission stated that it had heard complaints, while in the Territory, concerning the prolonged detention of persons awaiting trial and of long arrests without show of cause. Complaints of this nature were also contained in petitions⁵¹ before the Trusteeship Council. The Mission also heard allegations that persons were

⁵⁰ T/Pet.11/40, 66, 67, 101, 103, 107, 108, 112 & Add.1-2, 116, 117, 120, 121, 125, 157, 176, 209, 216.

⁵¹ T/Pet.11/40, 101, 103, 114, 118, 120, 160 & Add.1, 181, 191, 227, 239, 251.

sometimes condemned without being present in court. Two petitions (T/Pet.11/66 and T/Pet.11/112 and Add.2) also alleged that Somalis had been convicted by penal decree without having an opportunity to appear in their own defence. Similar allegations were heard by the Mission. The Mission reported that it also received some complaints that persons had been imprisoned on political grounds. On inquiring into the matter, the Mission was informed by the Administration that since the amnesty of July 1950 there had been no arrests for political offences or for offences resulting from political actions.

In commenting (T/952, 982, 991) on the petitions, the Administering Authority assured the Trusteeship Council that no one had ever been arrested except when charged with criminal actions under laws in force in the Territory. Of 2,864 persons arrested during 1951, it stated, 1,023 had been released and 1,841 had been brought to trial, almost all for crimes against property or for fights, and none for political offences. Only in exceptional cases, restricted to crimes carrying a penalty of no more than three months' imprisonment, was an accused person sentenced by penal decree without a hearing and in such cases he was granted the right of appeal to the same judge. Under the proposed new judicial regulations this practice would be restricted to the imposition of small fines. During its eleventh session, the Trusteeship Council was further informed that a legislative order had been issued in April 1952 limiting preventive detention, except for extremely serious crimes, to two, three and five months, and that a forthcoming order would abolish sentencing by penal decree. As regards police arrest, the Administering Authority stated, Italian law applied throughout the Territory limited detention to 48 hours, after which the person arrested must either be released or charged before the judicial authorities.

After noting the statements made by petitioners and the Administering Authority, the Trusteeship Council expressed concern at the length of the period which had elapsed in some cases between arrest and trial and expressed the hope that the Administering Authority would make every effort to remedy that situation. While noting that the Administering Authority had taken further steps toward the separation of executive and judicial functions, the Council shared the view of the Mission that the new judicial regulations should ensure the absolute independence of the judiciary.

The Visiting Mission noted that collective sanctions were levied against tribes and tribal

subdivisions and two tribes submitted petitions (T/Pet.11/150 and 226) complaining of such collective fines. The Administering Authority informed the Mission that, after considering the matter it had decided against abolishing collective sanctions since it was often impossible to establish individual responsibility and, even when such identification had been made, it had been found that many of the individuals had acted under the mandate of the tribe. On 10 July 1952, by votes of 8 to 1, with one abstention, and 10 to 1, respectively, the Trusteeship Council adopted separate resolutions (566(XI) and 595 (XI)) on these petitions. It noted, as had the Mission, that the Administering Authority was aware of the inequities which might result from a system of collective sanctions and expressed the hope that it would vigorously pursue its current policy looking toward the abolition of this system. The Council recognized, however, that until the institution of a new system, the imposition of collective sanctions was in accordance with existing law.

c. BOUNDARY BETWEEN THE TRUST TERRITORY AND ETHIOPIA

The Administering Authority reported renewed bloodshed and raiding in 1951 between the Averghedir and Darot groups in the Mudugh area,⁵² where the existing tension due to insufficient sources of water and pasturage had been aggravated by the establishment in 1950 of the provisional administrative line which had separated the Mudugh area from Ethiopia. The fighting had been stopped by the prompt intervention of police and administrative officers and the Administering Authority hoped that the construction of new wells would alleviate the situation.

Such difficulties were also reported by the Visiting Mission, which heard numerous complaints and received petitions⁵³ relating to the absence of a definitive boundary between the Territory and Ethiopia. It was claimed, among other things, that the provisional administrative line divided tribes, barred certain tribes from access to their traditional wells and grazing lands, and made it impossible to recover stolen cattle driven across the border. The delimitation of a definitive border was considered urgent by the Mission. Referring to the procedure for fixing the boundary outlined in General Assembly resolution 392 (V) of 15 December

⁵² See Y.U.N., 1951, pp. 693-94.

⁵³ T/Pet.11/73, 109, 172, 193, 204, 212, 213, 243.

1950,⁵⁴ the Mission suggested that if direct negotiations between Italy and Ethiopia failed, the matter should proceed without undue delay to the succeeding stages of mediation and arbitration. Moreover, the settlement should contain a generous understanding between the two Governments regarding the passage of persons, goods, and herds across the frontier and the access to water supplies in the border areas.

Subsequently, the representative of the Administering Authority informed (T/PV.415) the Trusteeship Council, during its eleventh session, that diplomatic relations between Italy and Ethiopia had been re-established and conversations on the boundary question initiated. Noting the statement of the Mission concerning the urgency of the matter, and the situation as described in the petitions, the Council expressed the hope that these conversations would lead to a satisfactory settlement.

d. ECONOMIC DEVELOPMENT

The indigenous economy of the Territory is of a pastoral-agricultural type; the majority of the inhabitants are nomadic or semi-nomadic pastoralists and stock is the main form of wealth of the Territory, although it is usually regarded as fixed capital and a source of prestige rather than a commercial commodity. The relatively small group of sedentary agriculturalists is confined principally to the banks of the Uebi Scebeli (Ouebbi Shebelli) and Giuba (Juba) Rivers.

The Administering Authority reported that its efforts during 1951 were devoted to encouraging and co-ordinating the development of industry, commerce and agriculture, and that an Economic Council composed of persons representing a wide range of economic interests had been established towards the end of the year.

A United Nations Technical Assistance mission composed of specialists in economics, animal husbandry, agriculture, social development, health and education spent over two months in the Territory in 1951 and the Administering Authority stated in its annual report that, as soon as this mission's report was received, a final draft of a general economic development plan would be prepared and communicated to the Trusteeship Council. Another mission, sent by the United States Economic Cooperation Administration (ECA), had made a survey of ground water resources in the Territory.

Since water was considered the controlling factor regulating settlement and the movement

of people in the Territory, the Trusteeship Council's Visiting Mission stated that the Administration should adopt vigorous methods to improve water supplies. Noting that efforts to secure assistance from the population in this task had met with little response, the Mission suggested that the Administration should persevere in its efforts to engage their co-operation. The Mission also considered that the establishment of a satisfactory stock industry, which was essential as an additional source of income, would bring about a substantial stabilization of the nomadic and semi-nomadic people.

The Administering Authority stated in its annual report that the problem of livestock would be given particular emphasis in its plans for the Territory's economic development and that careful consideration would be given to the recommendations of the ECA mission as well as to those of the United Nations Technical Assistance mission. It added, however, that the assistance which had been anticipated from ECA in drilling wells had not been granted since this had not been considered, strictly speaking, a technical assistance project. The lack of water supplies and the difficulties encountered in times of drought were referred to by a number of petitioners,⁵⁵ who asked that new wells be dug and irrigation systems constructed. The Administering Authority pointed out that, as part of its programme for the development of water resources, thirteen new wells were being excavated in the Giuba area and that sixteen were under construction and 35 were being rebuilt in the Mudugh area.

The Trusteeship Council suggested that the Administering Authority continue with its plans for developing the Territory's water resources and urged all sections of the Somali population to co-operate fully in this programme.

Agricultural production in 1951, according to the Administering Authority's annual report, was considerably higher than in 1950. With respect to foodstuffs, the report showed that production of sorghum increased from 127,000 quintals in 1950 to 450,000 quintals in 1951 and of maize from 96,000 quintals to 280,000 quintals. Over 15,000 quintals of maize were in storage at the end of 1951 as a reserve against a food shortage and the Administering Authority planned to increase storage capacity to 50,000 quintals. To assist Somalis to develop more productive forms of agriculture, the Administering Authority reported, five farming centres and agricultural ex-

⁵⁴ See Y.U.N., 1950, p. 372.

⁵⁵ T/Pet.11/, 68, 90, 110, 112 & Add. 1-2, 157, 163, 169, 170, 172, 176, 184, 205, 210, 212, 213.

periment stations and one experimental livestock station had been established by the end of 1951. Seven indigenous co-operative farming enterprises with a total area of 3,250 hectares were being established in the vicinity of the Uebi Scebeli and Giuba Rivers. The Administration had provided the co-operatives with the technical aid and the necessary machinery for the construction of irrigation ditches. The system of cotton growing and marketing under co-participation agreements between European settlers and indigenous farmers had been considerably expanded and it was estimated that 20,000 quintals were produced during 1951. Groundnuts and sesame were also being raised under this system in various districts. Under this system, the European farmer usually provides the indigenous farmer with seed, a cash advance and sometimes mechanical equipment in return for the right to purchase the crop at a price agreed on beforehand.

The Visiting Mission felt that production among indigenous farmers could be much improved by establishing an agricultural extension service, that development efforts should be undertaken as energetically in the dry-land farming zones as along the rivers, and that greater emphasis should be placed on agricultural training in schools. In this connexion, it expressed satisfaction that a school of agriculture and animal husbandry would be established by the middle of 1952. Observing that the co-participation system of farming had given an impetus to cotton cultivation, the Mission stated that this system could serve as the basis of the development of indigenous farmers' co-operatives. It further considered that the possibility of developing a co-operative marketing scheme should be examined and measures taken to diversify crops in case the market price of cotton should drop too low.

Several petitions⁵⁶ referred to the backwardness of indigenous agriculture and stated that the Administration made no adequate effort to promote agricultural development. The petitioners stressed the need for a co-ordinated programme which would include the provision of modern equipment, the construction of irrigation systems, the expansion of research and the provision of technical and financial assistance and improved credit facilities. In commenting on these petitions, the Administering Authority referred (T/982) to the experiments being carried out to supply farmers with machinery. Certain petitioners⁵⁷ requested that Somali cotton growers should not be restricted to selling their cotton only to Italian companies and traders from whom they received low prices, and that the Administration should

be persuaded to establish regional cotton marketing co-operatives run by Somalis. The Administering Authority pointed out (T/952 and 982) that contracts under the co-participation system were freely entered into and that indigenous farmers were also free to plant and sell cotton independently. It drew attention, further, to new regulations enacted in 1952 for cotton production and trade.

After noting with satisfaction the measures taken by the Administering Authority to encourage agricultural training, including the establishment of an agricultural school, and to establish farmers' co-operatives, the Trusteeship Council expressed the hope that these measures would be extended. At the same time, it urged the Administering Authority to intensify its efforts to ensure the diversification of crops in order to minimize difficulties in the event of a decline in market prices of the principal crops.

It is estimated by the Administering Authority that 40 per cent of the total land area of the Territory is uncultivable, 50 per cent is pasture land, part of which can be used for certain crops, and 10 per cent is cultivable or cultivated land. Under the pre-war land legislation in force, the Administering Authority reported, all lands occupied or exploited by indigenous tribes are regarded as their property and are not disposable by the Administering Authority. Concessions may be granted from disposable land for intensive agriculture, but no concessions were granted during 1951, the Administering Authority stated. The Visiting Mission expressed grave doubts about the advisability of granting further agricultural concessions in view of the small amount of arable land in the Territory and the special character of the Trusteeship arrangement. It was informed by the Administration that it was not its policy to grant concessions under the old law and that the necessary modifications were to be made to bring the laws into conformity with the provisions of the Trusteeship Agreement. The representative of the Philippines, in his statement annexed to the report of the Advisory Council, also considered that the cultivable land remaining should be conserved for the future Somali State and not alienated to foreigners although it might be leased to foreign concessionaires under conditions which would benefit both the concessionaires and the Native population and induce the latter to settle on the land. He considered it desirable that land legislation to this effect be promulgated as soon as possible.

⁵⁶ T/Pet.11/40, 69, 74, 89, 101, 110, 120, 157, 163, 172, 176, 210.

⁵⁷ T/Pet.11/40, 88, 109, 159, 254.

A number of petitioners⁵⁸ complained of the alienation of land to Italians. It was alleged that the best land along the rivers was held by Italians while Somalis were obliged to use barren land where irrigation was impossible, that land was alienated arbitrarily and that the Administration often recognized claims made by settlers on the basis of concessions granted during the former Italian regime.

The Administering Authority maintained (T/952 and 978) that no land had been alienated under Italian administration and that several of the instances referred to in the petitions related to disputes over leases, boundaries or concessions which had been in the possession of the parties concerned for a long time. It described as absurd and untrue the assertion that fertile lands were entirely in the hands of Italians and observed that the total land in the possession of European farmers was estimated as less than 2 per cent of the cultivable and cultivated land in the Territory.

After considering the various aspects of the land question, including the complaints made in the petitions and the assurances of the Administering Authority that it was not its policy to grant concessions under existing laws, the Trusteeship Council requested the Administering Authority to take all necessary steps for the prompt enactment of land legislation giving expression to the principles of the Trusteeship Agreement. In addition, in resolution 531(XI) adopted on 10 July 1952 by 10 votes to 1 following its examination of one of the petitions (T/Pet.11/106), the Council urged the Administering Authority to exercise the utmost caution in the matter of land leases pending the enactment of the new legislation.

The Administering Authority reported a further increase in imports and exports during 1951, imports being valued at 93.6 million somalos⁵⁹ and exports at 55.5 million somalos. The increase in imports was attributed to heavy purchases of industrial and agricultural machinery and equipment and of consumer goods, particularly food-stuffs. Exports were said to have increased 8.4 per cent in quantity and 23 per cent in value over 1950. Although there was a small export surplus with Italy and the dollar area, the Administering Authority indicated, the over-all import surplus was due to trade with the sterling area, where a deficit equivalent to 40 million somalos was incurred. The export and import trade is carried on by Arab, British, Indian, Italian and Somali concerns; the number of the Somali traders had increased, the Administering Authority reported, from 29 on 1 April 1950 to 61 at the end of 1951.

In many petitions,⁶⁰ opposition was expressed to the existing trade controls. It was stated that because of currency difficulties severe restrictions had been imposed on the issue of import and export licences for trading with countries other than Italy. The petitioners complained, in particular, that the Territory was cut off from cheap sources of imports in East Africa and Aden and stated that even the traditional barter trade between the northern section of the Territory and Aden could no longer be carried on. The curtailment of the barter trade, the petitioners held, could not be justified by exchange difficulties. It was further alleged that in the granting of export and import licences preference was given to Italian and non-Somali traders and that licences were granted to Somalis only through the intermediary of chiefs and other notables, who distributed them on a political basis. Moreover, the cost of licences and warehousing was said to have increased.

The Visiting Mission stated that it was unquestionably true that the principal foreign exchange earnings were lire and that this necessitated purchases in the lire area. On the other hand, the Mission observed, the Territory was meeting its foreign exchange requirements only with the assistance of Italy, which had enabled the Territory to make limited purchases within the sterling area and had made available sterling funds to cover 80 per cent of the resultant exchange deficit.

In its observations (T/952 and Add.1, T/982) on the above petitions, the Administering Authority stated that it gave preferential treatment in granting export and import permits to organizations formed by Somalis or by Somalis and Europeans. It affirmed that the cost of trading licences had never been increased. With regard to the alleged impossibility of obtaining import licences for trade with the sterling area, the Administering Authority pointed out that imports from the sterling area represented more than half the value of total imports during the last nine months of 1950 and more than a third of total imports during 1951. It further stated that trade between northern Somaliland and Aden, Zanzibar and other ports was proceeding normally. It denied that the laws and regulations had created difficulties for traders, adding that, on the

⁵⁸ T/Pet.11/40, 80, 88, 106, 120, 121, 141, 169, 170, 173, 209, 235, 236, 242.

⁵⁹ 20 somalos=20 East African shillings = £sterling 1 = \$US2.80.

⁶⁰ T/Pet.11/40, 51, 56, 62, 79, 80, 81, 87, 89, 90, 92, 101, 103, 105, 109, 110, 112 & Add.1 & 2, 114, 117, 120, 141, 152, 157.

contrary, there had been an increase in trade by sea. Concerning trade restrictions in Galcaio, the subject of two of the above petitions (T/Pet.11/51 and 62), the Administering Authority stated (T/959 and 964) that new import and export regulations put into effect in that area had met the wishes of the traders. This was noted with satisfaction by the Trusteeship Council in resolution 503 (XI), adopted by 8 votes to none, with 2 abstentions, on 9 July 1952.

In its report to the General Assembly, the Council, taking into account the petitions and the views of the Visiting Mission concerning foreign trade restrictions, expressed satisfaction at a statement by the Administering Authority to the effect that foreign exchange was now available to traders, that in granting licences preference was given to Somali traders, and that the volume of exports and imports had increased, favourably affecting the standard of living of the population.

Transportation along the coast is principally by small sailboats (dhows) and a few larger ships. The Administering Authority reported that it had tried, thus far without success, to encourage the establishment of a coastal shipping organization by private interests. Several dhow owners from Alula objected (T/Pet.11/72) that dhows were not permitted to sail unless they flew the Italian flag and they refused to do so because 47 ships which had raised the flag had been lost. This requirement was also referred to in other petitions (T/Pet.11/114, 118, 160 and Add.1). The Administering Authority explained (T/967) that dhows registered in the Territory must fly the Italian flag to be assured of assistance and protection when outside the Territory; it added that the Alula dhow owners had later realized that their objections were unfounded and had hoisted the flag of the Italian merchant marine. By resolution 518(XI) of 9 July 1952, adopted by 8 votes to none, with 3 abstentions, the Trusteeship Council stated that, inasmuch as the Alula petitioners appeared to have understood and accepted the relevant regulations, it considered the problem satisfactorily resolved.

There are over 9,000 kilometres of roads and tracks in the Territory, according to the Administering Authority's report, and 1,898,000 somalos were spent for road construction during 1951. The Mission noted, however, that travel by road was difficult and in many instances impossible during the two rainy seasons. The Mission expressed the hope that development plans would provide for road improvement as it felt that the situation was a serious obstacle to eco-

nomic development. Several petitions⁶¹ also referred to road conditions, stating further that the only railway had been dismantled by the British Military Administration and not replaced and that harbour facilities were in poor condition. In its observations (T/982) on these petitions, the Administering Authority pointed to its expenditures for dock maintenance and repairs and for road repairs.

According to the Administering Authority's reports, industrial development remained limited but some improvement had taken place. Among the new establishments were a textile mill, a modern and well-equipped machine shop on the plantations of the Societ  Agricola Italo-Somala (SAIS) and numerous cotton gins. Considerable development was reported with respect to soap manufacturing, textile weaving and ivory carving establishments. Studies were undertaken for the re-establishment of the saltworks at Hafun and the establishment of a meat cannery and refrigeration plant. The sugar refinery of the SAIS, the principal industrial establishment in the Territory, was soon to be enlarged, the Administering Authority stated. Other industrial enterprises in the Territory included two large saw-mills, two tanneries, three tuna fish canneries and plants for the extraction of vegetable oils.

The Administering Authority reported that during 1951, regulations were adopted governing fishing and mining concessions; concessions for fishing would be limited to a maximum of nine years and for mining to 40 years. The Administering Authority indicated that it would soon undertake a study, in conjunction with the Food and Agriculture Organization, of the possibilities of developing fisheries, and that a United States ECA mission was also expected to study the question in the near future.

The Administering Authority further stated that it was trying to increase the production and to improve the quality of incense, which was of considerable economic importance in the northern section of the Territory.

Permission to engage in prospecting for iron, lead, titanium and lignite was granted in 1951 to an Italian mining company to which permission to prospect for tin, tungsten, molybdenum and zirconium had been granted in 1950, the Administering Authority reported. The Administering Authority's special representative later informed the Trusteeship Council, during its eleventh session, that two companies, one Italian and one American, were also seeking oil.

⁶¹ T/Pet.11/77, 90, 112 & Add.2, 120, 121, 157, 191.

According to the Administering Authority's annual report, the over-all receipts and expenditures of the Territory for the fiscal year 1950-51 were 32.3 and 65.5 million somalos, respectively, the deficit being covered by a grant from the Administering Authority. The Territory derived its revenue mainly from customs duties and taxes on production (17.2 million somalos), on consumption (3.4 million somalos) and receipts from monopolies on tobacco and matches (5.1 million somalos). The greatest single item of budgetary expenditure—30.1 million somalos—was on civil personnel for all services. Military expenditures, which are outside the budget and met by the Administering Authority, amounted to 75.4 million somalos in 1950-51; the Administering Authority indicated that a decrease of military expenditures to 31.4 million somalos in 1951-52 was envisaged by reducing the number of Italians in the security forces. Income and hut taxes are levied and the Administering Authority reported that it also intended to apply taxes on all cultivated lands and on cattle. The Administering Authority stated that it shared the view expressed by the Trusteeship Council at its ninth session that future budgets should present separately those charges which are now borne directly by the Administering Authority and would not be charged to the future Somali State and those charges which would ultimately be borne by that State.

In the opinion of the Visiting Mission, a major problem was that of creating adequate revenues so that the substantial contributions being made by the Administering Authority could be dispensed with. The Mission suggested that the Administering Authority should eliminate the budgetary deficit as far as possible during the period of Trusteeship by increasing the Territory's productivity, fully utilizing its taxable capacity, rationalizing the administrative structure and training Somalis to replace Italians in the Administration. The Mission also felt that the problem of outside assistance which might be necessary during the initial period of independence deserved some consideration at an early date.

Taking into account the Mission's statement that the only sound basis on which the independent State could be established was one of self-support, the Trusteeship Council called the attention of the inhabitants of the Territory and the Administering Authority to the importance of increasing the financial contribution of all sections of the population toward the Territory's expenses.

It was generally recognized by the Administering Authority, the Trusteeship Council and the

Visiting Mission that new capital would have to be attracted to the Territory for any significant development of the general economy. The Mission noted that the possibilities of obtaining such capital were limited by the scarcity of fields for profitable investment and the nature of the Trusteeship Agreement, which provides for the termination of Trusteeship by 1960. The Administering Authority reported that it was seeking to encourage an increase in loans by Italian banks as well as aid from the United States ECA. The special representative of the Administering Authority pointed out, during the Trusteeship Council's eleventh session, that the solution of some problems, such as the permanent surfacing of roads and the construction of a harbour, required long-term investments that could only be advisable for reasons not strictly economic. He suggested that assistance from international financial organizations could probably enable the Administration to face such problems without slowing down developments in other fields.

In several petitions⁶² it was alleged that little or nothing was being done for the general economic development of the Territory. A number of petitions⁶³ requested financial and technical aid from the United Nations in developing the Territory. The Administering Authority, in reply, stated (T/978) that the progress made during 1951 towards the Territory's economic development could be verified from its annual report. It also observed that it placed its hopes chiefly in the studies carried out during the year by the United Nations Technical Assistance mission and stated that it hoped to attract foreign private capital and the public capital of international organizations, which it considered essential for the realization of an economic development plan.

The Trusteeship Council expressed its satisfaction with the improvement in the economic situation over 1950 and expressed the hope that continued improvement would be possible in future years. It noted that the report of the Technical Assistance mission would soon be available and that, after considering this report, the Administering Authority intended to draw up and submit to the Council a comprehensive plan of economic development. The Council commended the Administering Authority for co-operating with the specialized agencies and other international technical agencies and expressed the hope that the plan would be presented with the next annual

⁶² T/Pet.11/69, 79, 105, 109, 117, 120, 157, 172.

⁶³ T/Pet.11/74, 104, 117, 153, 157, 189, 194, 195, 199, 200, 201, 204.

report and that it would provide such a basis for economic development as would encourage both the investment of capital in the Territory and further assistance from international agencies.

e. SOCIAL DEVELOPMENT

The Administering Authority reported that it was studying problems relating to nomadism, as had been requested by the Trusteeship Council in 1951, and that, after it had considered the report of the United Nations Technical Assistance mission, it would submit the results of its study to the Council probably in its next annual report. It was of the opinion that, because of environmental conditions, a majority of the population would be nomadic for some time to come, but it considered that steps could be taken in various parts of the Territory to improve their social and economic conditions and to ensure them a greater measure of security. It would be necessary in the far north to eliminate those factors which were gradually leading to the depopulation of the area and further south, in the Mudugh area, to solve problems arising from the provisional administrative boundary with Ethiopia. A balance would have to be obtained between herds on the one hand and pastures and water resources on the other, the Administering Authority stated, and commercial outlets developed for the economic utilization of livestock. The Administering Authority indicated that it had sought the aid of UNESCO in developing fundamental education projects among the nomadic population.

Recalling its earlier recommendations on the social aspects of nomadism in Somaliland, the Trusteeship Council expressed the hope that a comprehensive programme would be undertaken to solve the political, social and economic problems arising from nomadism and that the Administering Authority would report fully to the Council on all aspects of its effort to deal with the problem.

According to the annual report, the standard of living of the inhabitants had improved during 1951. The prices of locally produced commodities were generally lower than in 1950 and this, together with a gradual increase in wage levels and the payment of salary arrears to former soldiers and employees of the pre-war Italian administration, the Administering Authority stated, had increased the purchasing power of the population. Farmers had benefited from good harvests and an increase in the production of cash crops. An increase of 6 per cent was reported in the cost of living for a typical family in

Mogadiscio with an income of about 150 somalos a month.

Several petitions⁶⁴ complained of the low standard of living and the poverty of the Somali people, stating that the cost of living was very high and increasing daily. It was alleged that prices had risen over 40 per cent since April 1950 and this was attributed to the high cost of Italian imports and expenditures on the military establishment and government salaries. In its observations (T/952 and Add.1 and T/996) on these petitions, the Administering Authority referred to the improvement in the situation over the previous year as stated in its annual report and added that both wholesale and retail prices were supervised.

One of the petitions (T/Pet.11/192) referred to a shortage of housing and increasing rents and suggested that a programme of housing development be drawn up and that the Administration assist builders and facilitate the establishment of building co-operatives. The Administering Authority observed (T/982 and 996) that substantial effort had been made to develop Somali quarters in Mogadiscio as part of a city planning scheme and that it had encouraged building by granting plots of land and had given financial assistance to establish the first building co-operative in Mogadiscio for Somali government employees. The co-operative had already built four apartment houses. Moreover, legislation had been enacted in 1950 controlling rentals and contracts and restricting landlords' powers of eviction.

At the request of the Administering Authority, the International Labour Organisation (ILO) sent a representative to Somaliland in 1951 to study labour conditions. In its report (T/935), ILO observed that lack of education, past serfdom or forced labour formerly associated with agricultural work, disease, malnutrition, climate, religion, superstition and custom, and the attitude towards money were all important factors in the Somali's failure to work regularly and to attain reasonable standards of output or quality. To improve the situation, ILO recommended, inter alia, incentives to better and more regular work, educational measures and improvements in labour legislation, including immediate steps to work out, in collaboration with the International Labour Office, a comprehensive labour code. The Administering Authority reported that it had already taken measures, in accordance with the ILO recommendations, to establish labour offices, labour

⁶⁴ T/Pet.11/40, 90, 92, 101, 102, 105, 109, 116, 120, 121, 184, 192.

inspectorate services, and a system of compulsory insurance for industrial workers against work-incurred accidents, and had drawn up legislation for the protection of women and child workers, abolished penal sanctions for breach of labour contracts and accepted ILO collaboration in drawing up a labour code.

The Visiting Mission considered the ILO report a useful analysis and noted the steps being taken by the Administration to implement the recommendations. It endorsed particularly the idea of a comprehensive labour code and felt that the question of labour incentives merited careful study. The development of a stable and efficient labour force was regarded by the Mission as particularly important in relation to economic advancement. The Mission also recommended that the Administering Authority take adequate measures to protect women workers, who, it noted, were commonly employed in agricultural and industrial enterprises.

A number of petitions⁶⁵ complained of the absence of trade unions and of adequate legislation governing the conditions of employment of Somalis. It was alleged by the Central Committee of the Somali Youth League (T/Pet.11/120) that Italian plantation owners had been trying to restore the former system of forced labour and that the introduction of joint farming enterprises was a disguised form of the system. Complaints of the existence of widespread unemployment were also contained in many petitions.⁶⁶

The Administering Authority pointed out (T/-978) that complete social legislation was being prepared, that the new labour inspectorates and labour offices supervised the observance of basic standards of labour and social security and that the labour offices were also responsible for finding work for unemployed persons and promoting the peaceful settlement of labour disputes. Regarding unemployment, it added that work was to be had, that a recent request for labourers for road work had gone unanswered, and that in the towns many Somalis would like to do easy work.

The Trusteeship Council noted with satisfaction that the Administering Authority had begun to implement the ILO recommendations and particularly that it had made arrangements for ILO assistance in the preparation of a comprehensive labour code which was to be adopted progressively. It asked to be kept fully informed of developments in this respect. In a resolution (510 (XI)), adopted on 9 July 1952 by 10 votes to 1, on one of the petitions (T/Pet.11/59/Add.1), the Council further expressed the hope that the

Administering Authority would take all necessary measures to enact a labour code in the near future. In its report to the General Assembly, the Council also expressed the hope that the labour regulations contemplated for the protection of women and children, particularly in agricultural employment, would soon be drafted and put into force.

The prisons in the Territory, according to the Visiting Mission, were generally overcrowded and the prisoners inactive. The Mission considered that measures should be taken to improve this situation and that every effort to ensure that persons who, under existing regulations, might spend long periods in jail awaiting trial were separated from convicted prisoners. Observing that facilities for women prisoners and for juvenile delinquents were unsatisfactory, the Mission urged the establishment of a special penal institution for women and expressed the hope that a separate rehabilitation centre planned for juvenile delinquents would be completed earlier than was projected. The Administering Authority pointed out in its annual report that prisoners were generally employed within the prisons on such work as the upkeep and enlargement of buildings and the manufacture of clothing and furniture. The number of prisoners in the central prison at Mogadiscio would be reduced, the Administering Authority explained, as soon as the penal farm at Balad was completed. During the eleventh session of the Trusteeship Council, the special representative of the Administering Authority added that the prison situation had received particular attention in 1952 and financial provision had been made for the establishment of the agricultural penal settlement in the Balad zone and the rehabilitation centre for minors and for the remodelling of three prisons.

Several petitions⁶⁷ complained of bad prison conditions, stating that the prisons were unsanitary and filled beyond their capacity, that prisoners were treated harshly and that the food was unfit for consumption. The Administering Authority observed (T/959/Add.1 and T/982) in reply that the Mogadiscio prison had an infirmary directed by a doctor and that a daily sanitary inspection was carried out in other prisons by a physician.

The Trusteeship Council noted that the prison system was unsatisfactory, due largely to the in-

⁶⁵ T/Pet.11/59 & Add.1, 84, 101, 104, 108, 117, 120, 141, 191.

⁶⁶ T/Pet.11/40, 72, 86, 101, 102, 103, 105, 112 & Add.2, 114, 116, 117, 120, 121, 141, 196.

⁶⁷ T/Pet.11/52/Add.1, 57, 66, 101, 103, 191, 251.

adequacy of existing buildings, and that the Administering Authority intended to remedy the situation by establishing modern penal institutions such as prison farms. It also noted the steps taken to provide new facilities for juvenile delinquents and to expand those for women and the measures contemplated to provide for the rehabilitation of prisoners through vocational training. The Council requested that more precise details on these measures be given in the next annual report.

It was alleged by the Guardie Carcerarie Somale (T/Pet.11/100) that prison guards were ill-treated by their supervisors whenever they applied for new uniforms or salary increases and that they were not given educational instruction. The Administering Authority stated (T/982) that the allegation of ill-treatment was without foundation and that salaries and working conditions were adequate. It also pointed out that the petitioners could attend the evening school for adults in Mogadiscio. By resolution 530 (XI), adopted by 10 votes to none, with 1 abstention, on 10 July 1952, the Trusteeship Council expressed the hope that the Administering Authority would consider the possibility of extending in-service training facilities to prison guards.

The Administering Authority reported that it continued to publish *Il Corriere della Somalia*, the only daily newspaper in the Territory. A radio broadcasting station was opened in Mogadiscio in 1951 and programmes were broadcast four hours daily in Italian and Somali. It was alleged in petitions before the Trusteeship Council (T/Pet.11/103,117) that freedom of the Press did not exist in the Territory. These petitions, as well as another (T/Pet.11/66), also claimed that freedom of speech was denied.

One petition (T/Pet.11/119) alleged that human rights were ignored in the Territory and others⁶⁸ claimed that racial discrimination existed. Similar allegations, as referred to above, were made by various political groups, in particular the Somali Youth League. The Administering Authority stated (T/952 and 982), however, that these allegations were unfounded and assured the Trusteeship Council that human rights, freedom of speech and of the Press were fully protected.

Medical facilities, as described in the annual report, comprised four hospitals in Mogadiscio, eight secondary hospitals in the interior, sixteen infirmaries and 72 dispensaries in 1951, a considerable increase over the number reported in 1950. The number of doctors increased from 37 to 47 during 1951 and further increases were expected. The number of patients treated in 1951

was more than double that of the previous year. In the opinion of the Administering Authority, the level of education was not yet sufficient to warrant the establishment of a medical school, but a two-year course for medical assistants had been started to which nineteen out of 50 applicants were admitted. A one-year course was also offered for training dressers and nurses. The Administering Authority stated that a plan for the development of medical and health services, to be adopted in 1952, provided for increases in the number of infirmaries, dispensaries, staff and medical equipment. Other improvements to be made included the expansion of hospital services, ambulances to make hospitals in the interior more accessible to the more remote communities and the establishment of centres for combating the principal diseases, such as tuberculosis, malaria and syphilis. A Health Council was established in 1951 to study development plans and to advise on medical and health problems.

In the view of the Visiting Mission, health and sanitary conditions constituted a serious problem impeding social and economic development. The Mission felt that effective measures must be taken, particularly to reduce the danger of contamination of sources of drinking water. It also hoped that efforts to provide anti-malarial drugs and to control mosquitoes would be expanded, and considered that much could be done to combat prevalent diseases if drugs and medicines were made increasingly accessible to the population under the existing system of distribution. The Mission found that there were serious dietary deficiencies in certain areas, and starvation conditions in the north. It recommended that studies of dietary conditions be made to determine the remedial measures needed and expressed the hope that special treatment would be given to as many of the victims of malnutrition as could possibly be reached. It recommended that the Administering Authority should seek assistance and advice from the World Health Organization (WHO), the Food and Agriculture Organization (FAO) and the United Nations International Children's Emergency Fund (UNICEF).

Many petitions⁶⁹ complained that medical services were inadequate, that there was a serious shortage of medicine, that medicines were not provided free even though Somalis could not afford to buy them and that the hospital diet

⁶⁸ T/Pet.11/92, 101, 108, 117, 175.

⁶⁹ T/Pet.11/33, 40, 68, 70, 74, 77, 81, 88, 89, 90, 101, 103, 106, 108, 109, 110, 112 & Add.2, 114, 116, 119, 120, 121, 157, 160, 169, 170, 172, 173, 176, 187, 191, 205, 207, 208, 210, 212, 213, 251.

was poor. The petitioners urged that more funds be allocated for the construction of hospitals and clinics and for the training of nurses. Four petitions⁷⁰ commended the Administration for the improvement of medical facilities.

In its observations on the petitions (T/952), the Administering Authority stated that over eight million somalos had been spent on medical services during the financial year 1950-51 as against over two million the preceding year and it referred to the increases in facilities and doctors during its administration of the Territory.

The Trusteeship Council expressed the hope that the Administering Authority would furnish detailed information on its plans for the development of medical and health services. Noting the existence of serious dietary deficiencies in certain areas, particularly in the north, the Council endorsed the Mission's recommendation that the Administering Authority seek help from WHO, FAO and UNICEF in the study and treatment of these problems.

With respect to five of the petitions (T/Pet.11/33, 70, 77, 106, 160) complaining of inadequate medical and educational facilities in their regions—Bardera, Brava, Afgoi and Alula—the Council, on 9 and 10 July 1952, adopted five resolutions recommending that the Administering Authority take all possible steps to improve those facilities and, in the case of Brava, that it stimulate the initiative and participation of the local population in the development of the area. Four of these resolutions (495 (XI), 519 (XI), 531 (XI), 572 (XI)) were adopted by 10 votes to 1, and one (516(XI)) by 10 votes to none, with 1 abstention.

f. EDUCATIONAL DEVELOPMENT

The Administering Authority reported that the reorganization of the educational system, as well as its expansion, had been continued in 1951, and that a five-year plan for the development of education had been drawn up and submitted to UNESCO and to the United Nations Advisory Council as well as to the Territorial Council. This programme envisaged a total school enrolment of 40,000 students by 1955.

According to the annual report, the enrolment of students for the school year 1951-52 was 11,646, as compared with 7,479 during 1950-51. In the elementary schools, 484 were enrolled in Italian-type, 10,241 in Somali-type, and 160 in Indian and Pakistani schools; in the secondary schools, 328 were enrolled in Italian-type, 138 in Somali-type, and 71 in teacher-training schools;

in the technical and special schools, 53 were enrolled in an elementary vocational school, 8 in a school for aeronautical specialists, 71 in a school for typists, 28 in a commercial course and 64 in the School of Political Administration. The number of elementary schools increased from 70 in 1950-51 to 113 in 1951-52 and expenditures increased from approximately 3 million somalos in 1950-51 to 4.6 million in 1951-52.

Education was free of charge in all Somali-type schools and in Italian-type primary schools. Italian and Arabic were the languages of instruction in the schools and the oral use of Somali was permitted. The Administering Authority stated that opinion differed among the Somalis themselves on the question of developing a written form of the Somali language.

The number and quality of Somali teachers was inadequate for the requirements of the Territory, the Administering Authority observed, and would be a serious problem for several years. A teacher-training programme functioned on the middle school level and only after the 1952-53 school year, when the students began graduating, could a teacher-type training school on a higher secondary level be established.

With few exceptions, the Administering Authority stated, no indigenous persons were prepared to undertake advanced secondary studies in 1951. However, it was felt that the best students graduating from the School of Political Administration in 1953 might attend, at least as auditors, courses in law, economics and political science in universities outside the Territory. Beginning with the school year 1952-53, some 30 students would be sent to Italy to follow secondary and teacher-training courses, and 22 students were scheduled to undertake studies at El-Azhar University in Egypt early in 1952.

Adult education had been offered only at the primary school level. The problem of mass education was to be the subject of a separate programme to be developed in collaboration with UNESCO.

The Visiting Mission found that education in the Territory was in the very early stages of development, that schools were few and that facilities outside Mogadiscio were of a low standard. The great majority of children had no access to schools and the rate of illiteracy was high. Problems of staffing were serious, particularly as a consequence of using both Italian and Arabic as the official languages of instruction. While the Mission saw no real alternative, for

⁷⁰ T/Pet.11/163, 192, 193, 199.

the time being, to the continued use of the Italian and Arabic languages as the media for instruction in the schools, it felt that emphasis must be placed increasingly on the development of a Somali written language and its use in furthering the educational development of the people, particularly with respect to mass education. The Visiting Mission also felt that greater emphasis should be given to the training of Somali teachers under the five-year plan.

The Mission was particularly impressed at the extent to which the United Nations was known throughout the Territory. It approved the efforts of the Administration and the Advisory Council to disseminate information on the United Nations in the Territory and supported the suggestion that, as far as possible, information materials be made available in Italian and Arabic and in sufficient quantities.

Many petitions⁷¹ before the Trusteeship Council contained complaints about inadequate educational facilities for Somalis. Some stated that the budget was spent mainly on the education of Italian children. It was also alleged that Italian and Somali pupils were completely segregated. It was requested that a sound system of education be established, that instruction be given in the principles of the Moslem faith and that students be enabled to attend educational institutions in other Moslem countries. In its observations (T/940, 952, 982) on the petitions, the Administering Authority stated that the greatest part of its expenditure on education was for the salaries of the teaching staff. In the elementary school system, schools of the Italian type had nineteen teachers as against 194 (77 Italians, six Libyans, 111 Somalis) in Somali-type schools. There was a comparable ratio with respect to expenditures on buildings and equipment. It was further stated by the Administering Authority that Somali students were admitted to secondary schools of the Italian type, and that Somali students would be regularly sent to Italy. Koranic schools existed for the teaching of the Islamic religion and many of these were intermittently subsidized by the Administration, which also encouraged the admission of Somalis to Islamic universities. However, there were as yet no students in the Territory prepared to undertake these studies.

The question of instruction in the Arabic language was also raised in numerous petitions.⁷² It was alleged that, in spite of the expressed wish of the population, Arabic was neither used nor taught in the schools. It was requested that teachers of Arabic should be obtained from

neighbouring countries and that Somalis should be enabled to attend universities in Arab countries. In its observations (T/952, 982) on the petitions, the Administering Authority stated that in elementary schools the number of hours devoted to Arabic exceeded those devoted to any other subject, Italian included, and that Arabic was the only written language taught in the first two years; after that, both written Italian and Arabic were taught, but during the first two years Italian was taught in the spoken form only.

The Trusteeship Council expressed satisfaction at the increases in the number of elementary schools, in expenditures, in the total student enrolment and in the number of elementary school teachers. However, it recommended that still greater efforts be made to accelerate the expansion of educational facilities and that particular attention be given to the problem of increasing the number of Somali teachers. Noting with concern the absence of a written indigenous language, the Council expressed the hope that the Administering Authority would give particular attention to reducing the Somali language to written form, with the co-operation of UNESCO and other educational organizations. The Council further noted the steps taken in expanding the teaching of Arabic and expressed the hope that the question of the language of instruction would be considered by the Administering Authority and by the inhabitants from the standpoint of the long-range development of the indigenous Somali culture.

g. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION OF CONDITIONS IN SOMALILAND

At its 279th meeting on 19 November, the Fourth Committee acceded to a request of the Italian Observer to the United Nations to participate in the work of the Committee during the examination of the report of the Trusteeship Council (A/2150). The report, among other things, concerned the Trust Territory of Somaliland under Italian administration.

At the 282nd meeting of the Committee on 25 November, the Italian representative made a statement outlining the plans of his Government

⁷¹ T/Pet. 11/34, 35, 40, 43, 67, 77, 80, 81, 85, 86, 89, 90, 101, 103, 109, 110, 112, and Add.1 & 2, 114, 116, 118, 119, 120, 121, 141, 157, 169, 170, 173, 175, 176, 180, 184, 187, 190, 191, 196, 205, 208, 209, 210, 211, 212, 213, 216, 221, 251.

⁷² T/Pet. 11/40, 42, 43, 68, 69, 79, 80, 81, 85, 86, 88, 89, 101, 112, and Add.1 & 2, 116, 141, 157, 169, 170, 171, 173, 176, 187, 209, 212, 213.

for the administration of Somaliland until it achieves independence in 1960.

He said that in April 1950 Somaliland was a country of limited natural resources and a largely nomadic population. In the last 30 months, however, Italy had laid the foundations of the political and educational system of the Territory.

The Italian representative said that development measures planned by the Administration included development of the councils, particularly the Territorial Council, which would become a legislative body and later a Constituent Assembly. Meanwhile, Italy had submitted to the United Nations a plan which envisaged, by January 1954, the reorganization of the Territorial Council into a body elected by direct universal suffrage as well as the establishment of a special electoral system for the nomadic population through the modernization of traditional tribal assemblies. The competence of the Council would be extended and its advice on some budgetary matters would become binding on the Administration. The first electoral experiment in Somaliland would take place the following February, when elections for the municipal councils would provide a "test" for the general elections to the Territorial Council in the autumn of 1953. Through the Territorial Council and other local and regional councils, the country had assemblies where all ethnical groups and all political trends were represented.

A reform of the administrative organization of the Territory was already being drafted, he added. Students graduating in the spring of 1953 from the political and administrative schools would be appointed direct to some of the district offices. Others would be given directive functions in central bureaus at Mogadiscio and in regional offices. Before 1958, when the Italian Government would submit to the Trusteeship Council a plan for transferring all functions to the independent Government of Somaliland, at least one of the six regions in the Territory would be entrusted to indigenous administrators, assisted by a skeleton Italian staff.

Somaliland would also shortly benefit from an organic judicial law drawn up with the co-operation of the United Nations Advisory Council. Among the projects to be put into effect immediately was the institution of a supreme judiciary and administrative court in Mogadiscio. This procedure would eliminate appeals to the courts in Italy. Within two years a project for the total transformation of penal institutions would be completed.

In the economic and social fields, agricultural co-operatives for the Somalis had been promoted,

workmen's compensation made compulsory and profit-sharing contracts issued in the cultivation of cotton and sisal. The Government of Italy had also decided to send to the Territory an expert to advise in the development of the country's economy. Anti-malarial and anti-tuberculosis campaigns had been introduced.

In the field of education, school pupils, totalling 2,500 in 1950, now totalled 17,000. New secondary and professional schools were giving training in agriculture, industry, fisheries and navigation. Some 1,000 elementary classes would probably be in existence by 1956 and this figure should be more than doubled at the end of the Trusteeship period. By that time there would also be a considerable number of high schools and some pre-university classes, bringing the total school population to 100,000. Students were already going abroad to Italy and Egypt for special study.

At its 265th meeting on 6 November, the Committee granted requests for hearings to two political organizations in Somaliland—the Somali Youth League and the *Unione Nazionale Somala*. The request of the Somali Youth League was approved by a roll-call vote of 43 to 6, with 4 abstentions and that of the *Unione Nazionale Somala* by a roll-call vote of 46 to 4, with 4 abstentions.

Before the voting took place, the representatives of Australia, Belgium, France, the Union of South Africa, the United Kingdom and the United States emphasized that they did not oppose the right of petition but opposed "side-stepping" the machinery of the Trusteeship Council which had been established for hearing petitions. Following the voting, the representatives of France, the Netherlands and the United States explained that they had voted in favour of granting the second request—that of the *Unione Nazionale Somala*—because of the Committee's decision to grant a hearing to the first petitioner, the Somali Youth League.

The Committee heard statements by Abdullahi Issa, representing the Somali Youth League, and Haji Salah Scek Omar, representing the *Unione Nazionale Somala*, at its 313th meeting on 19 December. Both representatives replied to questions by members of the Committee at that meeting and at the 314th meeting on the same day.

Mr. Issa, speaking on behalf of the Somali Youth League, stated that since the General Assembly decided on 21 November 1949 that Somaliland would be granted independence after ten years under Italian administration, no steps

had been taken to set up proper machinery to implement this solemn decision. Some Administering Powers, he alleged, seemed to hope for the failure of the "test case" of Somaliland to avoid precedent for other Territories now under the International Trusteeship System. Italy, as Administering Authority for Somaliland, he alleged, was violating the main provisions of the Trusteeship Agreement and the Declaration of Human Rights.

Former Fascist rulers, Mr. Issa asserted, were persecuting nationalist elements. Members of the Somali Youth League had been arrested and convicted on purely political grounds. Since last August these persecutions had been intensified and extended. Moreover, the Administration was alienating land from Somalis in favour of Italians and Italian private companies and was imprisoning Somalis who complained of this action. Fascist laws were still in force in the Territory, he stated, and the judiciary was still completely subordinated to the Administration. Because of this, all convictions on purely political grounds could be easily legalized.

Mr. Issa also complained of arbitrary arrests, the detention of Somalis without trial, the revival of tribalism as an instrument of a "divide-and-rule" policy and the lack of intention on the part of the Administering Authority to establish legislative or municipal councils elected by the people. The administration of the Territory was overstaffed with Italians, and Somalis were humiliated. Public schools were inadequate. The current economic crisis was "the worst Somaliland has ever known". Unemployment was high and the standard of living was declining rapidly. Petitions concerning these complaints had not been dealt with either by the United Nations Advisory Council for Somaliland or the Trusteeship Council, he maintained. He asked that an impartial mission be sent to the Territory, as soon as possible, to investigate.

He also asked that a special committee be established to ensure that the General Assembly's resolution on the Territory (289 B (V)) be successfully implemented. Moreover, as Somaliland could not achieve independence without economic stability, United Nations technical assistance should be urgently considered.

Mr. Omar told the Committee that he represented not only the *Unione Nazionale Somala* but also the *Hisbia Dighil Mirifle*, the *Unione Africani*, the *Lega Progressista Somala*, the *Unione Gioventu Benadir*, the *Hidajet Islam* and the *Unione Bimal*.

He said that the people of Somaliland aspired to the creation of a Somali State based on the principles of freedom and democracy, with unity and independence as a goal. The *Unione Nazionale Somala* hoped to achieve, through study and work, the fraternal association of all inhabitants of the Territory and the political, social and cultural evolution of all Somalis, as effective independence could be gained only in this way.

There was a tendency in certain circles to grant hearings to those elements which were noisiest; political agitation was rendering no service to his country.

He claimed that a regime of real freedom had been established in Somaliland, a fact to which the Trusteeship Council Visiting Mission could testify. His party had been able to approach members of the Italian Government in Rome, including the Prime Minister, and learn the principles which were to guide the administration of Somaliland. He was satisfied that Italy would make great sacrifices to see that independence was achieved by the Somalis.

The United Nations Advisory Council for Somaliland had always been ready to hear requests taken to it, he said. His party relied on the undertaking given by the Administration that it would "Somalize" the Administration, and it was hoped that when Trusteeship came to an end there would be a sufficiently large number of Somalis qualified to staff the administration. The standard of living had improved, cultivation of cotton had been extended and trade opportunities had been increased for the Somali people as a result of the facilities granted by the Administration.

Somaliland, however, was a poor country and it needed ports, roads and irrigation schemes if its resources were to be developed. He hoped that the United Nations would find a way of supplying technical assistance to this end. Though his people had faith in the Administration and his party was grateful for this assistance and would continue to support the Administration, the people of Somaliland wanted to speed up the development of their country. This required financing on a scale which the Italian people could not reasonably provide. For this reason, the people of Somaliland were turning to the United Nations for aid in the task already begun in Somaliland. It would, he asserted, be the best way of diffusing the spirit of the United Nations throughout Africa and of bringing solidarity and progress.

At the 314th meeting on 19 December, El Salvador introduced a draft resolution (A/C.4/L.270) whereby the General Assembly would:

(1) take note of the statements of the representatives of organizations of Somaliland under Italian Administration; (2) decide to transmit these statements and the comments of members of the Fourth Committee to the Trusteeship Council requesting it to give special attention to these questions, particularly with respect to the application of past recommendations relating to them, in the light of the statements of the petitioners and of the observations made in the Fourth Committee, and to report to the Assembly's eighth session; and (3) request the Council to consider the desirability of preparing a special questionnaire for Somaliland and of sending a separate Visiting Mission to that Territory, in view of its special position and of the fact that it would acquire independence in the next eight years, and include a report on this matter in its next report.

The representative of El Salvador subsequently accepted an oral suggestion by the representative of Indonesia that the draft should stipulate that the transmission should be made "without prejudice to future requests for oral hearings before the Fourth Committee" as well as some drafting amendments.

During the debate following the statements by the representatives from Somaliland, the representatives of Poland and the USSR maintained that the statement by the representative of the Somali Youth League showed that Italy was violating the terms of both the United Nations Charter and the Trusteeship Agreement. The draft resolution by El Salvador, these representatives held, was not an adequate answer to the problem, as it did not contain any concrete proposals which would enable the legitimate demands of the Somali people to be met. The representative of Yugoslavia stated that the peoples of Somaliland were entitled to expect assistance from the United Nations. Italy was bound to pursue a policy which would enable the Territory to stand independently at the end of the period of Trusteeship.

Support for the draft resolution by El Salvador was expressed by the representatives of Argentina, the Dominican Republic, Egypt and the Netherlands. The representatives of Argentina, Egypt and the Netherlands doubted, however, whether a need existed for sending a special Visiting Mission to the Territory, the representative of the Netherlands pointing out that a regular Visiting Mission would go to the Territory in two years. The representative of Argentina suggested orally that reference to a special mission be deleted from the draft; but when this suggestion was not accepted by the representative of El Salvador, he asked that a separate vote be taken on that part.

The representative of the Government of Italy said that his country had never failed to declare its firm determination to fulfil the task assigned

to it by the General Assembly within the time-limit prescribed. Charges that land in the territory was being alienated in favour of Italians and that political persecution was being carried out were false; political liberty was enjoyed by all and freedom of movement and of speech were maintained.

The Committee voted on the draft resolution by El Salvador, as amended, at its 314th meeting on 19 December. In a separate vote it decided, by 23 votes to 12, with 6 abstentions, to ask the Trusteeship Council to consider the desirability of sending a separate Visiting Mission to Somaliland. The Committee then adopted the draft resolution as a whole by 30 votes to 2, with 10 abstentions.

The recommendation of the Fourth Committee (A/2342) was in turn adopted by the General Assembly at its 410th plenary meeting on 21 December 1952, in a roll-call vote of 46 in favour, 1 against, and 11 abstentions. Voing was as follows:

In favour: Afghanistan, Argentina, Bolivia, Brazil, Burma, Canada, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Liberia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Philippines, Saudi Arabia, Sweden, Syria, Thailand, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela, Yemen.

Against: Belgium.

Abstaining: Australia, Byelorussian SSR, Czechoslovakia, Ethiopia, France, Luxembourg, Peru, Poland, Ukrainian SSR, USSR, Yugoslavia.

3. Tanganyika, Administered by the United Kingdom

Tanganyika, the largest of the Trust Territories, has a total area of 362,688 square miles, of which 20,000 are water. According to the Administering Authority's annual report,⁷³ the population was conservatively estimated at the end of 1951 at 7,700,000 Africans, 71,000 Asians and 16,000 Europeans, as compared with 7,332,539 Africans,

⁷³ United Kingdom, Colonial Office: Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika under United Kingdom Trusteeship for the year 1951 (London; H.M.S.O., 1952; Colonial No.287). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Eleventh Session (3 June-24 July 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/-2150). For general discussions in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

59,512 Asians and 16,045 Europeans at the time of the last census in 1948.

a. POLITICAL DEVELOPMENT

Executive authority is vested in the Governor, who is assisted by an advisory Executive Council composed, at the end of 1951, of eight senior government officials and six appointed unofficial members; the latter included three Europeans, one Indian and one African. The Governor makes laws with the "advice and consent" of an appointed Legislative Council. This Council consists of the Governor, fifteen official and fourteen nominated unofficial members (four Africans, three Asians and seven Europeans).

The Administering Authority reported that the Committee on Constitutional Development, consisting of two official and all the non-official members of the Legislative Council, had presented a unanimous report proposing important changes at the central, regional and local government levels. The Visiting Mission sent to the Territory in 1951 noted in its report (T/946 and Corr.1) that the implementation of many of these proposals, if approved, would depend on the outcome of a further inquiry by a Commissioner appointed from outside the Territory. The Administering Authority subsequently informed the Trusteeship Council that this inquiry would start early in 1952.

The appointment in 1951 of the first African member of the Executive Council resulted from the Governor's acceptance of a recommendation by the Committee. Both the Visiting Mission and the Trusteeship Council expressed the hope that the Administering Authority would consider increasing the African membership in the Executive Council as soon as possible. The Administering Authority observed that membership in this Council depended primarily on knowledge and experience and that Africans must first obtain training in local Government councils and the Legislative Council.

The latter Council, the Committee on Constitutional Development proposed, should be expanded to comprise the Governor, 21 official members and 21 unofficial members (seven Africans, seven Asians and seven Europeans).

The Committee favoured the retention of the official majority until sufficient experience had been gained in the enlarged Council. Explaining its proposal for the equal distribution of unofficial seats among the three main races, the Committee stated that it had found it impossible to assess their relative claims to representation

on the basis of numbers, financial interests or political maturity, and had based its recommendations "on the need to obviate feelings of distrust and lack of confidence and to lay a sound foundation for future political development."⁷⁴

It considered that the reform of the legislature should follow within three years of the inauguration of local government institutions and that the details of the scheme and the preparation of an electoral system should be studied by a special committee. The Governor considered that this inquiry should be carried out by the Commissioner. Both he and the United Kingdom Secretary of State for the Colonies indicated that the new legislature should be established within five years of the approval in principle of the Committee's recommendations.

The Visiting Mission reported that the Committee's proposals concerning the Legislative Council, particularly the equal representation of the three main races, had occasioned more public discussion than any other aspect of the Committee's report. Petitions on the subject were also presented to the Mission from the Indian Association (T/Pet.2/116) and from African sources,⁷⁵ including the Tanganyika African Association, which the Mission regarded as representative of educated African opinion. Giving an account of the views of the various communities, the Mission stated that the Asian community was very much in favour of the Committee's proposals, of which, in the opinion of the other communities, it was the principal beneficiary. The Indian Association also advocated the immediate introduction of a common electoral roll for non-African communities and its eventual adoption for all communities. Tribal Africans made little comment on the reform proposals, the Mission reported, but the African Association desired an increase in the proportion of unofficial African members. In some cases the need for elective representation was stressed by Africans. Spokesmen of the Tanganyika African Association expressed the view that the Committee had made a genuine attempt to strike a blow at racialism, but informed the Mission that they were not satisfied with the proportion of unofficial seats proposed for Africans. Nevertheless, the Mission stated, they did not entirely exclude acceptance of the proposals if they could be satisfied that parity was only temporary. Members of the

⁷⁴ Report of the Committee on Constitutional Development 1951 (Dar-es-Salaam, 1952).

⁷⁵ T/Pet.2/103, 106, 108, 120, 127, 130, 134, 138, 140, 143, 149, 154. For names of all petitioners, see Annex.

European community, the Mission noted, had been the most active in expressing their views, which were mostly unfavourable, on the Committee's report. Officers of the Tanganyika European Council, which claims to represent all unofficial Europeans in the Territory, expressed strong disapproval of the Committee's proposals other than its proposal for an electoral system for European and Asian unofficial members, the Mission reported.

The Mission was of the opinion that the time and methods for replacing the official majority with an unofficial majority were of the greatest importance, and should await the attainment by the African community of a political maturity more consonant with its position in the population as a whole. Meanwhile, the Administering Authority should retain direct legislative control until a more representative legislative body could be established. The Mission approved of the equal distribution of unofficial seats among the three main races as an interim measure but not as a satisfactory long-term solution. It hoped that the functioning of the proposed new Legislative Council would lead before long to a situation in which it would be possible to depart from the principle of communal representation, and believed that the use of a common electoral roll might form a bridge between the proposed system and a more representative one. The Mission doubted the wisdom of delaying the implementation of the reforms for five years. It stated that it appeared possible and preferable to proceed almost immediately to the election of European and Asian unofficial members; African members, it suggested, might continue to be appointed until an electoral system could be established for that community.

The Administering Authority stated (T/977) that it agreed with the Mission's views concerning the composition of the Legislative Council. Subsequently, the Trusteeship Council was informed, during its eleventh session, that the United Kingdom Government had accepted the recommendations of the Committee on Constitutional Development for the maintenance of an official majority and the equal distribution of unofficial seats.

The Trusteeship Council considered that, in Tanganyika's political development, communal interests should be subordinated to the interests of the Territory as a whole. It therefore endorsed the Mission's opinion that equal representation of the three main races in the legislature, though useful as an interim measure, did not offer a satisfactory long-term solution and the Mission's

suggestion that the Administering Authority consider the use of a common electoral roll. The Council also expressed the hope that the overall development of the new political institutions would be rapid enough to permit the implementation of the legislative reforms before the end of five years.

On a regional level, advisory provincial councils had been established in 1949 and 1950 in two of the eight provinces of the Territory. The constitution of further councils had been postponed pending approval of the recommendations of the Committee on Constitutional Development as to the most desirable form of regional organization. The Committee proposed the decentralization of many of the administrative and executive services of the central Government and recommended the division of the Territory into regions much larger than the existing provinces, which it stated could not support the burden in staff, resources and finances required to operate the decentralized services. Regional councils should be established on an inter-racial basis and empowered to control regional policy and expenditure, the Committee suggested; for a limited period, they should have an official majority. The region should be subdivided into counties, which should be larger than the existing districts (numbering 55 in 1951, according to the Administering Authority's annual report). The Committee recommended the creation of inter-racial county councils throughout the Territory as the largest units of local government; these, it suggested, should usually have an unofficial majority. These councils would at first control only those matters affecting all races, such as the maintenance of roads, ferries and bridges, the establishment and control of markets, the conservation of natural resources and health services. Unofficial members of both the regional and county councils, the Committee proposed, should be nominated in the first instance and later chosen by election. The Committee considered that the introduction of the county councils should be the first step in implementing the proposed political reforms. This proposal was accepted in principle by the Governor, who informed the Visiting Mission that it was hoped that these councils would be working within a year.

In the Mission's opinion, the functions proposed for the county councils were by no means extensive. As to their composition, the Mission presumed that a majority of the non-official members in most cases would be Africans and that in the few areas where non-African settlement was

particularly heavy, African representation would at least equal that accorded non-Africans. With regard to regional administration, the Mission noted that both the Governor and the Secretary of State for the Colonies had expressed doubt as to the desirability of implementing the Committee's proposals without the most serious consideration. The Mission considered that the situation should not be frozen while lengthy inquiries were being carried out and suggested that temporary measures be taken to improve regional organization. The Administering Authority's policy regarding the development of governmental machinery between the local and Territory-wide level, the Mission stated, should be established with all possible speed. Endorsing this statement, the Trusteeship Council requested the Administering Authority to include in its next annual report full information on the results of its deliberations.

Local government bodies in the Territory are of two types, urban and rural, and consisted in 1951, according to the Administering Authority's annual report, of 30 Township Authorities, one Municipal Council (in Dar-es-Salaam) and 435 Native Authorities. The Committee on Constitutional Development recommended that these urban and rural authorities should continue to be responsible to the central Government rather than to the proposed county councils.

The Administering Authority stated that it attached importance to the development of municipal councils and other autonomous local government bodies, that the township of Tanga was moving towards full municipal status, and that the granting of autonomous status to other major townships was being considered. The Township Authorities usually consist of the District Commissioner as Chairman, a majority of official members and nominated unofficial members. The number of unofficial members, the Administering Authority reported, was steadily increasing. The Municipal Council of Dar-es-Salaam and the Township Authority of Tanga both had a large unofficial majority and equal representation of the three main races. Increased African representation in the urban institutions was requested in a petition (T/Pet.2/130) from Africans in Tanga.

The Committee on Constitutional Development recommended that the councils of the major townships should be made corporate bodies, should be empowered to make by-laws and should be given fiscal autonomy. Official membership of all town councils, the Committee proposed, should be progressively reduced and non-racial

elective representation, based on wards, should be introduced. The Visiting Mission agreed with these recommendations.

The great majority of the African population of the Territory is subject to the system of "indirect administration" under which the conduct of its affairs is in the hands of the Native Authorities. These Authorities, except in a few areas, are the hereditary or partly hereditary rulers of the people under traditional tribal systems.

The Administering Authority stated that its general policy was to modify and develop the traditional tribal structure to bring it into conformity with modern conceptions of local government. Accordingly, it encouraged the federation or amalgamation of disconnected tribal units and the establishment of district councils and subordinate division, area and chiefdom councils. In the more backward areas, these councils were often merely advisory to the Native Authorities. In more advanced areas, they had taken over local legislative powers from the Native Authorities and had in some instances assumed some executive powers. The Administering Authority explained that the extent to which such councils had been introduced and their composition and powers depended on the widely different conditions and development of the various tribal communities, but it felt that definite progress towards uniformity had been made during 1951. The Councils usually comprise the Native Authority, sub-chiefs, elected commoners and a number of nominated members.

The Visiting Mission was favourably impressed with the efforts of the Administering Authority to develop African political institutions and described the far-reaching reforms taking place in certain regions where councils containing an increased proportion of elected representatives were being established. On the other hand, the Mission noted the uneven quality of councils in some regions, and reported that it had spoken with chiefs of areas in the interior which were far too backward to have a system of councils.

On the whole, however, the Mission concluded that development was proceeding along sound lines. It considered that the time had come for a major recasting of the legislation governing the activities of Native Authorities and district councils and observed that it should be possible to decide on a pattern of African local government for the whole Territory even though it might be possible to introduce it at the present time only in a few areas. A more precise enumer-

ation of the functions and financial powers, which were divided largely on an ad hoc basis between the central Government and the Native Authorities, also appeared to be required, the Mission stated. The Mission also stressed the need for attracting more educated Africans into local government employment and for raising the pay and other conditions of service of Native Authority employees to a level comparable to that of the central Government Service. Finally, the Mission suggested that Tanganyika Government officials should take more dynamic action to develop the backward areas politically. Commenting on this last suggestion, the Administering Authority stated (T/977) that action taken so far had, except in a few areas, been well in advance of public demand and that persuasion, rather than coercion, was the most effective means of promoting new developments.

The Trusteeship Council expressed its approval of the general policy and efforts of the Administering Authority and noted that, on the whole, the development of African local government was proceeding on sound lines. It endorsed the Mission's view concerning the recasting of the relevant legislation.

Commenting generally on political development, the Visiting Mission stated that a considerable measure of progress must still be achieved before the ultimate goal of self-government or independence could be realized, and that the development of a sense of territorial consciousness amongst all inhabitants of Tanganyika was perhaps the most important step to be taken in this direction. It felt that preliminary steps should be taken by the Government and the various communities to eliminate the existing pattern of a strictly communal development and considered that the Administering Authority should encourage African political associations, particularly those working in tribal areas.

The Administering Authority cited (T/977) its efforts to encourage amalgamations and federations of tribal units as an important step in that direction. These efforts of the Administering Authority were noted with approval by the Trusteeship Council.

The Mission referred to complaints by some educated Africans that the immigrant communities claimed all the privileges of inhabitants of the Territory, but retained the nationality and other advantages of their country of origin. It suggested that the situation might be improved by the establishment, in the law of the Territory, of a status of citizen of Tanganyika apply-

ing to all persons of whatever origin or nationality genuinely domiciled in the Territory; it added that such a citizenship would, in its opinion, contribute greatly toward the development of a territorial consciousness. This suggestion was endorsed by the Trusteeship Council. The Administering Authority stated that it was considering the question and agreed that all persons genuinely domiciled in the Territory must be regarded as inhabitants within the meaning of the Charter,⁷⁶ but it must also give special protection, where necessary, to the interests of the African population.

The central Government service, according to the Administering Authority's annual report, comprised 35 departments and offices functioning in Tanganyika apart from those departments and services administered jointly with those of Kenya and Uganda under the East Africa High Commission.⁷⁷ During 1951, 2,599 Europeans, 1,259 Asians and 12,381 Africans were employed in the various territorial departments. The Government Service includes a Senior Service for personnel holding responsible posts or possessing technical qualifications and a Junior Service for other employees who have passed the necessary entrance examinations.

In a number of petitions⁷⁸ received by the Visiting Mission from Africans, including associations of Government servants, the petitioners claimed that any European was automatically placed in the Senior Service and that many Africans in the Junior Service were performing the same type of work as Europeans with the same academic or other qualifications in the Senior Service. Without disputing the case for an expatriation allowance, they expressed resentment that Europeans normally residing in East Africa were paid at the same rate as officers recruited from overseas, while Asians and Africans who might be promoted to the Senior Service received only three-fifths of the salary paid Europeans in the same positions.

The Mission reported that spokesmen of the Asian community made similar complaints with respect to the admission of Asians to the Senior Service. It found that one African and a number of Asians with long service had been promoted to that Service.

The Administering Authority stated (T/953/Add.1,2,4, and T/977) that the declared object of

⁷⁶ See Article 76 of the Charter.

⁷⁷ For the Trusteeship Council's examination of this administrative union in 1952, see pp. 733-35.

⁷⁸ T/Pet.2/102, 103, 112, 120, 125, 127, 130, 134.

the creation of the Junior and Senior Services had been the establishment of a civil service on non-racial lines. Promotion from the Junior to the Senior Service was dependent on personal qualifications, irrespective of race. The Administering Authority expressed regret that so few Africans had qualified, but indicated that several individual cases were being made the subject of special consideration. At the same time, it cautioned that a relaxation of standards might react ultimately to the disadvantage of the Service as a whole and that the promotion of inadequately equipped officers, who would in consequence have to be qualified as "failures", would prejudice rather than advance the interests of African civil servants generally. It was true that in a few cases Africans performed similar duties to those carried out by members of other races, but with few exceptions African employees were still of lower efficiency. As regards obtaining the necessary academic qualifications for the more senior posts, the Administering Authority pointed out that the facilities now offered by Makerere College, in Uganda (see below under Educational Development), had materially improved the position. With respect to salaries, it observed that Africans had benefited proportionally more than Asians or Europeans from the revisions made in 1948.

As had been suggested by the Visiting Mission, the Trusteeship Council recommended that the Administering Authority institute a uniform scale of basic salaries for officials regardless of country of origin for positions in both the Senior and Junior Services, and that this scale should be supplemented by a system of expatriation allowances for personnel not domiciled in East Africa, and of efficiency differentials where these were felt to be applicable. The Council further suggested that the Administration should provide increased access to educational facilities so that appropriate qualifications might be obtained for direct entry to the Senior Service. It expressed the hope that the recent elevation of Makerere College to the status of a university college would lead to its degrees being recognized for this purpose.

According to the Administering Authority's report, administrative officers served as magistrates in most of the ordinary subordinate courts, but the number of resident magistrates with solely judicial duties increased from eighteen in 1950 to 20 in 1951. Both the Visiting Mission and the Trusteeship Council expressed the hope that the number of resident magistrates would be progressively increased. The Mission was of the opinion that the judicial organization of the

Territory was being developed along sound lines. It observed, with respect to the Native court system, that the Government was encouraging the development of the various forms of customary law and the separation of judicial functions from the traditional functions of Native Authorities, particularly under a new constitution for the Chagga tribe. This policy was noted with satisfaction by the Trusteeship Council.

b. ECONOMIC DEVELOPMENT

Tanganyika is primarily an agricultural country but has great potential mineral wealth. The Territory has few industries and these are mainly concerned with the processing of raw materials; new factories which had been or were about to be established included, according to the Administering Authority's annual report, a meat packing factory, a paint factory, canning works, a second brewery at Dar-es-Salaam and a large cement works. The Administering Authority reported a continued improvement in the economic situation during 1951. Total imports and exports amounted, respectively, to £31,642,508 and £41,497,471, a total volume considerably over that for 1950 and almost three times that for 1947.

In its report for 1951, the Administering Authority stated that total revenue on the Territorial and development accounts in 1950 amounted to £13,323,763 and expenditure to £13,560,957; each of these figures represented about £1 million more than the estimates given in the previous report. Taxes accounted for 73.5 per cent of the Territorial revenue during 1950. Of this percentage, three fifths was from indirect taxes, mainly customs and excise duties, and the balance from direct taxes, including income and non-Native poll and education taxes, and Native house and poll taxes. The Native house and poll taxes continued to be fixed at flat rates, varying in different localities. A petition (T/Pet.2/121) complained that taxes were increased without due notification, but this was denied by the Administering Authority (T/953/Add.2).

The total value of agricultural production during 1951 was £58,487,700. The bulk of the African produce is consumed locally, but the indigenous inhabitants also produce certain cash crops, including about two-thirds of the coffee and most of the cotton, hides and skins. Sisal, the most important commercial crop and the largest revenue earner for the Territory, is produced almost exclusively by non-indigenous inhabitants. Sisal production was estimated to have increased in 1951 by some 20 per cent over that of 1950, when sisal exports amounted to 118,909

tons valued at £11,846,057. The Visiting Mission, noting the annual increases in the production and the market price of sisal, expressed the view that the industry should make a more substantial contribution to the Territorial revenue than the existing export duty of 5 per cent ad valorem. The Administering Authority replied (T/977) that it had been decided after careful consideration not to increase the tax rate. It pointed out that the industry had been recovering from the effects of low prices and that the high prices of recent years had enabled the industry to renew machinery, plant and equipment and carry out necessary capital developments; moreover, the continuance of high prices was not certain.

The Administering Authority indicated that its economic policy was directed primarily toward making the Territory self-sufficient in essential food supplies. It reported that 60,350 tons of grain had been stored at central points throughout the Territory in 1951. Measures to improve cultivation and animal husbandry were continued. In particular, progress was made in the large-scale development schemes for the reclamation of areas hitherto uncultivable because of insufficient water and the prevalence of the tsetse fly. The most important of these schemes were in the Sukumaland and Mbulu Districts.⁷⁹ The Visiting Mission reported that water had been provided for 2,500 of the 9,000 square miles of previously unoccupied land in the former area. Schemes for the general development of other areas had also been introduced or were contemplated. Some of these were financed by the Administering Authority under the Ten-Year Development and Welfare Plan; others were financed and carried out by the indigenous inhabitants. Pilot experiments in mechanized ploughing were being carried out in several areas, and on an increasing scale in rice-growing areas. Demonstration farms were established as one means of improving animal husbandry. Cattle disease control measures were proving successful and the Mission was told that it was not unusual for primitive tribesmen to make long journeys to buy hypodermic needles and dimidium bromide to protect their cattle from trypanosomiasis. Dipping or spraying had been introduced to combat east coast fever. The Administering Authority also reported, *inter alia*, that additional facilities were being built for training agricultural and veterinary instructors, that the Territory's agricultural services were being continually strengthened, and that scientific experimentation and research were being developed.

With respect to the Overseas Food Corporation's groundnut scheme, the Administering Authority reported that the reduction in the scope of the scheme had interfered with some of its welfare aspects, such as the establishment of model communities. Nevertheless, the Administering Authority stated that the immediate benefits of the scheme had been considerable—new port installations, railway communications, and the establishment, in several groundnut areas, of ancillary services, such as aerodromes, roads, water supplies, power stations, workshops, hospitals, schools and new townships. The Visiting Mission also commented that, although £32 million of the sums advanced to the Corporation had had to be written off, the expenditure of much of this money in Tanganyika had stimulated general economic development.

Under a new scheme undertaken by the Colonial Development Corporation at Njombe, it is proposed to plant some 30,000 acres of wattle by 1955 and to establish a factory for extracting tannin from wattle bark. By the end of 1951, the Administering Authority reported, 13,000 acres of land had been cleared and 5,000 acres planted.

The Visiting Mission praised the Administering Authority's efforts to improve agriculture and animal husbandry and considered that general development schemes for particular areas constituted the most satisfactory method of dealing with the problem. It noted, however, that many regions were not covered. The scope of the problem was enormous, the Mission stated, and a much greater capital investment would be required to bring into production large areas now tsetse-infested and insufficiently watered and to exploit fully the possibilities of mechanization. In some areas, large contributions from development funds might not be required. It appeared to the Mission that African co-operation was best assured if funds were made available to districts to supplement their own self-help, as in the Mbulu scheme. In many respects, the most satisfactory experiment seen by the Mission was in the Pare District, where a mass literacy campaign had had the effect of stimulating interest in improved methods of land utilization. However, no development scheme, as such, existed in that District and there were few officials and limited government funds available. An additional allocation of staff and funds to this District, the Mission felt, would be amply repaid.

⁷⁹ See Y.U.N., 1951, p. 707.

The Administering Authority indicated (T/977) that it shared the Mission's views and would examine its suggestion for the provision of more assistance to the Pare District.

The emphasis placed by the Administering Authority on self-sufficiency in food supplies was approved by the Trusteeship Council, which expressed interest in the experiments being carried out in mechanized cultivation and in the progress of mechanized rice cultivation. The Council recommended that, as soon as satisfactory methods were evolved, the Administration encourage further mechanization and continue increasing its efforts to improve African agriculture and animal husbandry. It also expressed the hope that the success of the Sukumaland and Mbulu development schemes would lead to the establishment of similar schemes in other regions not yet covered by such schemes.

The Arusha Citizens Union, in a petition (T/Pet.2/146) examined by the Council at its eleventh session, complained against the compulsory measures which required African agriculturalists to maintain the fertility of their land, to plant certain food crops as insurance against the failure of others and to submit their livestock to inoculation or dipping, and which restricted the felling of trees in certain areas. Similar complaints were made in another petition (T/Pet.2/156); one petitioner (T/Pet.2/124), on the other hand, claimed that not enough was being done to combat soil erosion.

The Administering Authority pointed out (T/953/Add.2) that some of the measures were departures from traditional methods of cultivation. While many appreciated their value and carried them out willingly, others were actively opposed. Every effort was being made, by propaganda, instruction and demonstration, to persuade the agriculturalist of the need to improve farming methods and to preserve land fertility.

On 10 July 1952, by a vote of 10 to 1, the Trusteeship Council adopted a resolution (484 (XI)) on the petition from the Arusha Citizens Union. It recommended that the Administering Authority continue carrying out its propaganda campaign emphasizing the dangers of soil erosion and the measures employed to combat it and that it also carry out a propaganda campaign in favour of a selective reduction in the number of livestock in the Arusha District. The Council urged the Union to co-operate with the Administering Authority in its programme of re-forestation.

Apart from agriculture and animal husbandry, the most important economic activity of the Territory is mining, which is almost exclusively in the hands of private non-indigenous enterprise. Minerals exploited in 1951 were valued at £1,568,979. In 1950 and 1951 gold was the chief mineral exported, exports being valued at £824,047 and £847,832 (provisional estimate), respectively, for these two years. The value of diamond exports fell from £1,010,000 in 1949 to about £86,749 in 1951, due to a dispute between the principal producer, Williamson's Diamonds Ltd. and the overseas buyers. Tin ore, salt and mica are among other minerals exploited. Large deposits of other minerals, including lead, titanium magnetite, iron ore, coal and tungsten, are known to exist but have not yet been exploited. The Administering Authority reported that the Colonial Development Corporation was investigating the coal deposits in the Ruhuhu area. These deposits, it was stated, contain sufficient coal to meet total East African requirements for many years and to permit the exploitation of large iron ore deposits at Liganga. The building of the necessary rail and road communications was under consideration. A new railway, it was pointed out by the Mission, would also facilitate production and transport of African cash crops in the area. In view of the interest previously expressed by the Trusteeship Council in the revenue accruing to the Territorial budget from mining operations, the Mission inquired into this matter and was informed that royalties from mining due in 1950 amounted to £140,000, and that royalties and income tax payable by Williamson's Diamonds Ltd., amounted to 14 shillings in each pound of its profits.

Petitions asking that prospecting for gold and diamonds be open to all races (T/Pet.2/150) and that the minerals be exploited by Africans for the welfare of their country and not remain in the hands of individual foreigners (T/Pet.2/144) were before the Council at its eleventh session. The Administering Authority observed (T/953/Add.2 and 4) that, except for diamond prospecting, which was strictly controlled, rights to prospect could be obtained by anyone capable of understanding and complying with the relevant laws and regulations. While a number of Africans were engaged in mining, the Administering Authority stated, Africans generally had neither the experience nor the resources necessary for extensive mining operations and to restrict mineral exploitation to them would not be to the advantage of the Territorial welfare.

Indigenous participation in the economic life of the Territory, the Administering Authority indicated, was largely confined to the production of primary agricultural products and animal husbandry, activities which were increasingly being organized on a co-operative basis. In 1951 there were 138 registered co-operatives with a total membership of 105,762,126; of these, 126 were primarily engaged in marketing produce, supplying agricultural requisites, providing storage accommodation and, to a lesser extent, processing.

The Visiting Mission felt that means should be found to enable Africans to participate more fully in the economic life of the Territory and not be confined to subsistence farming or unskilled labour; it suggested, in particular, that indigenous production and marketing of cash crops might serve as the basis for building such participation. In this connexion, the Mission was particularly impressed with the benefits derived by the Chagga tribe from the cultivation and sale of coffee and from the improvements made in the Moshi District by the Kilimanjaro Native Co-operative Union, Ltd., which markets the coffee. The Mission noted, however, that the entire Moshi District coffee crop was sold under a contract with the Ministry of Food, which paid much less than the world market price. It stated that in the Bukoba District, where part of the crop was auctioned on the Mombasa market, producers benefited to a greater extent from the sharp increases in coffee prices. But the price paid was still lower than that paid to producers, for example in Ruanda-Urundi, and much dissatisfaction had resulted among the Bukoba producers. In both Districts, regulatory powers with respect to the whole coffee industry were vested in Native Coffee Boards with official majorities. The Administering Authority observed (T/977) that the Ministry of Food had agreed to increases in the contract prices for future sales and had also paid a bonus on previous sales. Petitions from the Bukoba District (T/Pet.2/148 and 154) complained that the African coffee producers were paid inadequate prices and were not permitted to sell their produce freely through their co-operatives wherever the highest prices prevailed, in particular in Ruanda-Urundi and Uganda, and that as a result profits were being made by smuggling coffee into these areas. The Administering Authority acknowledged (T/953/Add.4) that smugglers and black-marketeters had been active in the District but hoped that the increased official prices now being paid would reduce the temptation to sell other than through approved agencies.

The Trusteeship Council noted that the Visiting Mission had expressed the view that indigenous local producers of export crops should benefit fully from rising world prices. Accordingly, it recommended that long-term contracts between marketing co-operatives and the Ministry of Food should be kept under constant review.

Several other petitions (T/Pet2/103, 104, 150) also requested the removal of barriers to trade with Ruanda-Urundi and other neighbouring territories and asked that the foreign trade of Tanganyika be opened to all nations. In reply, the Administering Authority stated (T/953/Add.3 and 4) that no discriminatory barriers to trade existed and that trade with Ruanda-Urundi was not forbidden but that the difference in currency gave rise to difficulties. It added that trade in livestock, of particular interest to the petitioners, was restricted owing to the need for rinderpest control measures.

The Trusteeship Council considered that co-operatives were the most effective way in which Africans could compete in trade at the present time. In this connexion, the Council noted the success achieved by existing co-operatives, particularly the Kilimanjaro Native Co-operative Union, Ltd. It expressed the hope that the Administering Authority would continue to encourage co-operatives and would expand the part they played in the general economy of the Territory.

The Visiting Mission considered that better credit facilities should be provided for Africans wishing to establish themselves in trade or to improve their agricultural methods. The Mission found that individual Africans had difficulty in obtaining credit and this was also reflected in several petitions (T/Pet.2/103, 108, 120, 150). Africans were unable to secure funds largely because they could offer no security, the Mission stated. Few, if any, enjoyed a security of land tenure that would qualify them for loans from the Loan Bank, and the guarantee of the local Native Authority required for Africans to obtain credit from the Local Development Loan Fund was rarely given.

In its observations on the petitions (T/953/Add.4), the Administering Authority agreed that many Africans would welcome the idea of a wide extension of loans, but there was a limit to the money which could be made available and adequate safeguards were needed in the use of public funds for such purposes.

In commenting on the Mission's report, the Administering Authority stated that it fully appreciated the importance of associating Africans

more broadly in the economic life of the Territory and that it would continue to make every effort to achieve this objective. It added that the suggestions made by the Mission for hastening this process would receive careful consideration.

The Administering Authority reported that a new and more comprehensive development plan was being prepared. Meanwhile, the existing Ten-Year Development and Welfare Plan was regarded as satisfactory for immediately necessary projects. As revised in 1950, this Plan contemplates an expenditure of over £24 million during 1950-56. Top priority under the Plan is given to the conservation and development of natural resources, involving an expenditure of some £4.3 million and including 63 schemes directed primarily to developing self-sufficiency in primary foodstuffs and to the further development and control of water resources. Referring to a suggestion made in 1950 by the Trusteeship Council concerning schemes for the provision of cheap hydro-electricity, the Administering Authority reported that several small electricity schemes had been inaugurated in 1951 and that further possibilities would be kept under review. The limited extent of permanent natural water supplies, however, was a serious obstacle to the promotion of large-scale hydro-electric schemes. This factor was also recognized by the Mission, which nevertheless considered that further investigations should be made in this field.

The improvement of communications is the second item in order of priority under the Plan and the first in terms of expenditure. It is proposed to spend over £8 million, including nearly £5 million on the development of major roads. The Visiting Mission considered that the improvement of communications was a prerequisite to the substantial development of Tanganyika and that the projects being carried out or under consideration would considerably improve the situation. The need for improved communications was also raised in three petitions (T/Pet.2/106, 108 and 110), and the Administering Authority in reply (T/953/Add.2 and 4), pointed to the high priority it had been given. Two of the petitioners requested that a railway be built linking the Northern and Lake Provinces, but this, the Administering Authority stated, could not at present be contemplated for economic reasons.

The Visiting Mission observed that the Territory's development was being undertaken by a diversity of agencies and expressed the hope that, with respect to activities of agencies other than the Tanganyika Government itself, appropriate

measures would be taken to protect the interests of the inhabitants of the Territory. Noting that it was the stated intention of the United Kingdom Government to transfer control of the operations of the Overseas Food Corporation to the Tanganyika Government, the Mission considered that the principle of transfer to Territorial control should also be applied to the activities of the Colonial Development Corporation. The Mission also pointed to the need for proper government control over large private development projects in the Territory. In this connexion, the Mission expressed satisfaction with existing safeguards in the diamond industry and the Rondo Plateau timber concession in which the Territory and the concessionaires will share equally in the net profits. In the former case, under an agreement with the Williamson's Diamonds Ltd., control over the Company cannot be transferred without the consent of the Tanganyika Government. The Mission expressed the hope that the Administering Authority would continue to exercise vigilance with respect to such private concessions. The Administering Authority (T/977) noted the Mission's views.

The Trusteeship Council expressed satisfaction at the rapid rate of economic development in the Territory and noted the Administering Authority's assurances on the need for sufficient government control over private development schemes to safeguard the interests of the inhabitants.

It was alleged in a petition (T/Pet.2/124) that the Administering Authority was discouraging private enterprise and the investment of private capital because this would lead to rapid industrial development and thus deprive the United Kingdom of a market for its manufactured goods; instead, it was stated, the Administering Authority preferred to develop, under nationalized schemes, only those industries which would benefit it. In reply, the Administering Authority commented (T/953/Add.2) that development by private enterprise was encouraged by every legitimate means and that "nationalized schemes" were introduced only when private investment was not forthcoming or when projects were unsuitable for private enterprise.

The Administering Authority reported that of the total land area, 3,569 square miles, or 1 per cent was held by non-Africans in 1951—1,486 square miles on freehold and 2,083 on rights of occupancy, mainly on 99-year leases. It informed the Visiting Mission that the percentage of land alienated would probably never reach 10 per cent of the total land area and estimated that it would be possible to provide

land for only some 500 additional non-African farmers in the next few years. Land was no longer auctioned, but was granted to individuals or companies after careful selection with the objective of making the best possible use of land and increasing the production of foodstuffs.

A Land Utilization Board had replaced the Land Settlement Board. The Mission pointed out that the complaints it had heard that there was insufficient African representation on the Board and its provincial committees had some justification and the Administering Authority replied (T/977) that it would consider increasing such representation.

The Trusteeship Council expressed the hope that the Administering Authority's intention of strengthening African representation on the Land Utilization Board would soon be implemented in a liberal manner.

The Mission received a large number of petitions⁸⁰ concerning the land policy. The petitioners requested that alienation be curtailed and that proper consideration be given to the present and future needs of Africans. They complained that land was taken away from Africans without sufficient compensation and that the maximum of 99 years for leases to non-African settlers was too long. The small compensation paid Africans for their land was contrasted to the very large sums paid to Europeans whose estates had been compulsorily acquired in more heavily settled areas. A number of Arabs and Africans claimed (T/Pet.2/119) that land owned by their families for generations had been taken by the Government for housing purposes and that they had received compensation only for the trees on the land.

Commenting on these petitions, the Administering Authority stated (T/953/Add.1-4) that land was alienated only where it would not endanger the present or foreseeable rights and interests of the indigenous population, and where utilization of at present unoccupied or undeveloped land would contribute to the Territory's economic advancement. The amount of compensation paid depended on the form of tenure, the Administering Authority explained. For freehold, the owner could claim full value, but in the case of tribal tenure, compensation would be paid only for the loss of usufructory rights, for improvements to the land and for disturbance.

The Mission also received complaints from Asians (T/Pet.2/116) who claimed that preference was given to Europeans in the allocation

of ex-enemy estates and other lease-hold land. The Administering Authority assured the Trusteeship Council that no discrimination existed in this matter (T/953/Add.2).

The Mission reported that to some extent the existing attitude of suspicion and alarm over the land question seemed to be associated with the fear that an increase in European settlers might lead to their political predominance. This fear might abate, the Mission suggested, if the new constitutional proposals were adopted. The Mission realized that private capital must be attracted to the Territory and agreed that there was no over-all shortage of land in the Territory. Nevertheless, it was struck by the fact that most of the alienated land it saw was of good quality and situated in areas having a good climate and rainfall. It was told that, in general, such conditions were essential for successful non-African settlement by individual farmers. The amount of such land still available was limited and, while much of it might be surplus to present African requirements, proposals to alienate it for as long as 99 years must be considered with the greatest caution. The Mission therefore considered that the Administering Authority and the Trusteeship Council should watch developments in this field with close attention. Noting that one of the functions of the Land Utilization Board was to encourage the development of a suitable system of land tenure for Africans, the Mission suggested that this aspect of the Board's work be pursued without delay. The Trusteeship Council accordingly made a recommendation to this effect and suggested that the Board take into account any recommendations that might be formulated by the Council's Committee on Rural Economic Development.⁸¹

The Mission observed that land shortages existed in a number of areas. The most marked examples, it stated, occurred in the Moshi and Arusha Districts in the areas surrounding Mounts Kilimanjaro and Meru, respectively. The Chagga, whose situation had previously been examined by the Trusteeship Council,⁸² seemed reasonably satisfied with the settlement reached in their case; as a result of their previous petition, some of the alienated lands in the Kilimanjaro area had reverted to them. In a further petition (T/Pet.2/-137) received by the Visiting Mission, however, the Chagga Council stated that little or nothing had been done to develop the lower areas. They

⁸⁰T/Pet.2/103, 111, 113, 119, 120, 123, 137, 142, 143, 144, 147, 148, 154, 156.

⁸¹See p. 743.

⁸²See Y.U.N., 1950, p. 765.

asked that the Government accelerate its efforts to provide water, roads, dispensaries, schools and other necessary facilities, and to eradicate the tsetse fly. Pointing out that the delay had been due to difficulties in ensuring adequate water supplies, the Administering Authority stated that it was also anxious to develop the lower areas as soon as possible (T/953/Add.2).

The tribes in the Arusha District, the Mission reported, seemed less satisfied than the Chagga'. It was proposed to alienate land held by Africans in the Mount Meru area to form a homogeneous non-African bloc to be used as an infection-free, compulsory dipping area for cattle ranching, and some 360 Wa-Meru families in the Nagare-Nayuki and Leguruki areas would be transferred elsewhere when new areas had been properly developed.⁸³ The balance of the Wa-Meru tribe would receive about 10,900 acres on the slopes of Mount Meru. At a public meeting, the Mission received a petition (T/Pet.2/142) from the elders of the tribe requesting that they be given additional farm plots not yet alienated and that no new lands be alienated in the future. As regards the Arusha tribe, the Mission reported that it was proposed merely to improve access to the lower expansion areas.

Representatives of the Arusha claimed (T/Pet.2/144 and 146) that the land at their disposal had been reduced several times by periodic expansion of the Arusha township and that the land outside the belt of European settlement surrounding them was too dry for an agricultural tribe like theirs. The Administering Authority stated (T/953/Add.2), on the contrary, that the township had been reduced to a quarter of its original size and would not be expanded until the fullest possible use had been made of area available within the township; while it was true that Africans were moved in 1930, the Administering Authority added, they suffered no hardship and all received compensation and alternative land.

c. SOCIAL DEVELOPMENT

In its annual report, the Administering Authority stated that the cost of living had continued to rise and that generally, during 1951, there had been a tendency towards a shortage of money in the towns and a shortage of goods in the rural areas. In the opinion of the Visiting Mission, the standard of living was low in many parts of the Territory. The Mission also pointed out that there was a definite population movement by Africans from rural to urban areas and

the problem of their standard of living was becoming of increasing importance. From a limited survey carried out in 1951, the Mission noted that living conditions appeared difficult for the lower-paid Africans in the towns. The Mission considered that more detailed studies of these conditions should be made with a view to ensuring reasonable minimum wages.

The Administering Authority reported that in 1951 there were 455,398 Africans in paid employment in Tanganyika, mainly in agriculture (232,481, including 126,723 employed on 180 sisal plantations), construction (45,034), central and local Government (31,212), manufactures and electricity (26,022), transportation (24,120), wholesale and retail undertakings (19,949) and mining and quarrying (18,329). The Administering Authority reported that the labour supply was inadequate and that the rapid expansion of the Territory's economic development required the proper organization and full utilization of the Territory's manpower potential, with an increase in the stability, efficiency and productivity of labour. A survey of these problems was undertaken in 1951 and "A preliminary investigation of the manpower position, 1951" was published.

This preliminary investigation recommended that a single body representative of all interested employers might be the best means of improving the rationalization and recruitment of labour. The Visiting Mission questioned the advisability of establishing such a body on a Territory-wide scale for a number of reasons. It also stated that a similar system operating in the Northern Province seemed unpopular with many of the more efficient employers. Opposition to the Northern Province Labour Utilization Board was also voiced by the Chagga Cultural Association (T/Pet.2/134) on the grounds that it recruited Africans for labour far from their homes, that workers were badly treated and that the Government exercised a levy on each recruit. The Administering Authority pointed out (T/953/Add.2) that most of the recruits came from comparatively short distances and were provided with transport and rest camps which had been inspected and commended by the Visiting Mission. It denied that a levy was collected, and explained that an employer was only required to pay for costs incurred in obtaining labour. In any case, it added, a review of the Board's operations was to be made shortly. As to the establishment of a single central organization as suggested by the preliminary investigation, the Administering Authority stated that no decision had been taken (T/977).

⁸³ For further consideration of this question, see pp. 660 S.

The preliminary investigation suggested that the introduction of a system of identification of employees should be seriously considered. The Administration informed the Mission that registration should not be considered only in relation to the labour supply or primarily as a means to check desertion but that it would also be of great help in the efficient administration of social services of all kinds. While recognizing this, the Mission doubted the desirability of a general labour registration, especially in view of the opposition which might be expected from Africans. It pointed out that the suggestion had been bitterly opposed by the Tanganyika African Association, which considered it as a move to placate settlers. Opposition to any registration or direction of labour, which it was feared might interfere with the liberty of workers, was also expressed in a petition (T/Pet.2/123). The Administering Authority commented (T/953/Add.1) that no system was contemplated which would interfere with individual liberty and that there was no question of the direction of labour. It stated (T/977), in its observations on the Mission's report, that the need for some form of registration was becoming more and more apparent and that consideration was being given to introducing a Territory-wide system of registration on a non-racial basis for the entire adult male population, and not only for industry.

The preliminary investigation suggested that malnutrition, disease and the high turnover of unskilled labour were important causes of low productivity. It considered that efforts must be made to stabilize labour by providing attractive housing and other amenities. The Visiting Mission agreed that the labour output must be increased and that the soundest method of so doing was to stabilize labour; housing was probably the most important single factor in such a stabilization, but it must be provided for the worker's family as well as the worker. The Mission, however, doubted whether stabilization could be achieved without a marked improvement in both the wages and working conditions of African labour. The Administering Authority agreed on the whole with the Mission's views, but stated (T/977) that it appreciated the economic necessity of maintaining a proper relationship between wages and productivity.

A number of petitions⁸⁴ brought before the Trusteeship Council complained of the inadequacy of African wages as compared with rising living costs and appealed for a general increase of wage levels. It was stated that the wages of manual workers especially were insufficient to

provide an adequate standard of living. Allegations that Europeans and Asians received higher wages than Africans possessing the same qualifications were also made in the petitions.

The Administering Authority observed (T/953/Add.1, 2 and 4) that existing differences in rates were not due to racial discrimination but to differing individual experience and qualifications. It emphasized the need to relate expenditure on wages and salaries to output.

In another petition (T/Pet.2/121), the African Cooks, Washermen and House Servants Association complained that domestic servants were not granted holidays nor provided with sleeping quarters or clothing, and were liable to summary dismissal even after long periods of service. The Association also complained that its registration as a trade union had been cancelled.

The Administering Authority stated (T/953/Add.2) that there were no regulations governing conditions of domestic service which were the subject of mutual agreement between individual employers and employees. It added, however, that domestic servants who might be the victims of breach of contract by an employer or who found themselves in any genuine difficulty could receive assistance from the Labour Department and that labour exchanges were available for those seeking employment. The Association's registration as a trade union had been cancelled, the Administering Authority stated, after it had become clear that it comprised only a few self-seeking office-holders of doubtful integrity, especially in the handling of funds.

After noting with concern the statement of the Visiting Mission on the low standard of living prevailing in many parts of the Territory, the Trusteeship Council endorsed the Mission's recommendation that the Administration should undertake more detailed studies of the cost and standard of living with a view to ensuring that reasonable minimum wages prevail. The Council also expressed the hope that the Administering Authority would undertake further action toward improving the difficult living conditions of lower-paid Africans, particularly those in urban areas.

It further recommended that the Administering Authority continue to give close attention to the problem of stabilizing the labour force and increasing its productivity and in this connexion that it consider measures for improving working conditions.

⁸⁴ T/Pet.2/108, 115, 122, 123, 127, 134, 149, 156.

During 1951, according to the annual report, 107 employers were convicted of labour offences, mainly concerned with failure to pay wages and with the employment of children; of these, 102 were fined, three bound over and two imprisoned. The number of employees convicted was 339, of whom 76 were fined, 256 imprisoned and seven bound over. The Administering Authority stated that conditions still did not justify the abolition, as earlier recommended by the Council, of penal sanctions relating to the unlawful departure of a servant from his employer's service with intent not to return. Unlawful desertion presented a particular problem in a country where contracted workers were frequently brought long distances at considerable expense to the employer, the Administering Authority explained.

Referring to its programme, under the revised Ten-Year Plan, for alleviating the housing shortage, the Administering Authority reported that in Dar-es-Salaam 300 semi-permanent and 80 temporary-type houses had been completed and work was proceeding on 300 more. The Visiting Mission expressed the hope that the Government would press on with the implementation of its housing schemes and would encourage suitable private building. The Mission considered, in particular, that the claims of African civil servants for adequate housing required closer attention. The Administering Authority assured the Trusteeship Council that every effort was being made to accelerate the housing programme. The Council noted this assurance and fully endorsed the views expressed by the Mission.

The Tanganyika African Association expressed opposition to further immigration into Tanganyika until the Territory had achieved its independence and stated that foreign workers should not be allowed to remain in the Territory after the expiration of their employment (T/Pet.2/103 and 130). It was alleged by the Indian Association (T/Pet.2/166) that immigration regulations discriminated against Asians in favour of Europeans, while another petition (T/Pet.2/124) claimed that the Government discouraged all European and Asiatic immigration. Commenting on these petitions, the Administering Authority stated (T/953/Add.2 and 4) that immigration was controlled in the general interests of the inhabitants and not on a racial basis. The Visiting Mission observed that the fears of Africans were usually associated with complaints about the Government's land policy. It added, with respect to discrimination against Asians, that the immigration policy was administered in a careful and non-discriminatory manner.

Several petitions⁸⁵ alleged that social discrimination on racial grounds was prevalent in the Territory and the Mission reported that it had heard such allegations from educated Africans and Asian associations. The specific complaints dealt mainly with access to hotels and clubs. The Mission considered, as did the Administering Authority, that there were limits to the effectiveness of government action. It was of the opinion that club membership was a private matter but suggested that the Administering Authority, in licensing hotels to serve the public, should ensure that they followed a non-discriminatory policy. It noted that such a policy existed in hotels, as well as trains, operated by the East African Railways. The Administering Authority observed (T/977) that any attempt to overcome racial prejudice in hotels by direct action would be ineffective and might even strengthen the prejudice in some cases.

Both the Trusteeship Council and the General Assembly have in the past repeatedly recommended the abolition of corporal punishment. In its annual report for 1951, the Administering Authority reported that the desirability of abolishing this punishment as a sanction of the courts at the earliest possible date had been impressed upon the Tanganyika Government but that its immediate abolition was not considered practicable. It stated that a Bill designed to reduce the number of offences for which corporal punishment could be awarded was introduced in the Legislative Council by the Administration in 1951 but had failed to pass; only one of the unofficial members, a European, had supported the measure, which was regarded by other unofficial members of all races as premature. The Bill was therefore reluctantly withdrawn and further consideration was being given to the matter. In 1951, according to the annual report, the High Court imposed one sentence of corporal punishment and the subordinate courts 585 sentences. Of these, sixteen were quashed and one not carried out for medical reasons. Of those sentenced, 423 were juveniles. The indigenous local courts, in 1950, imposed 736 sentences of whipping. One person was corporally punished in 1951 for offences against the prison regulations.

Three petitions (T/Pet.2/111, 130 and 149) called for the abolition of corporal punishment or alternatively requested that it be applied without discrimination as to race. The Administering Authority, among other observations (T/953/-

⁸⁵T/Pet.2/114, 130, 134, 137, 138.

Add.4) on these petitions, stated that corporal punishment was not applicable to Africans only.

The Visiting Mission reported that it was favourably impressed with the prisons and penal institutions that it was able to visit, and particularly by the Kingolwira prison, a "prison without walls". The Tanganyika African Association petitioned (T/Pet.2/130) for the construction of more such prisons or for a reform in the system in existing prisons, where, it stated, little attempt was made to rehabilitate prisoners and no effort was made to separate first offenders from hardened criminals. It also sought increased educational and recreational facilities to counteract the rapidly increasing incidence of juvenile delinquency. In this connexion, the Administering Authority agreed (T/953/Add.4) that counteractive measures were important; it felt, however, that the most effective means of dealing with juvenile delinquency was the probation system, which was to be expanded considerably. With respect to prisons, the policy was to segregate prisoners, the Administering Authority stated, and a major objective of its present building programme was the replacement of old buildings by modern spacious buildings in rural surroundings.

The social status of African women varies considerably from tribe to tribe, but in general they are regarded by indigenous custom as inferior to men. Polygamy and the payment of bride price is still practised and, as noted by the Visiting Mission, a great proportion of the drudgery of rural life is borne by the women. The Visiting Mission drew attention, in particular, to the status of women in the Bukoba District. During recent years, it stated, an increasing number of Haya women had been leaving the District to take up employment and some also to engage in prostitution. As a result, the Haya men attempted to prevent the women from leaving the area. They appealed⁸⁶ for help in their efforts to control prostitution and for assistance in eliminating venereal disease. The Administering Authority stated (T/953/Add.2 and T/C.2/SR.28) that the conclusion was reached, after investigation, that the unsatisfactory social conditions within the Bukoba District were the underlying cause of the problem. Special measures were now being taken, it added, to improve the status of Haya women.

The Governor of Tanganyika informed the Trusteeship Council, during its eleventh session, that he considered the improvement of the status of women to be perhaps the most important social problem faced by the Administration. African women were the key to the future of Tanganyika,

he stated, and it was often they who had exercised pressure upon the men to accept progressive methods, such as ploughing schemes, and they were also working to improve their own lot at the present time. While noting that social and educational measures were already being taken he felt that more positive steps were required to improve the status of women. To facilitate such steps, he felt, one tribe must be persuaded to set an example of proper treatment of women: he planned to make such a challenge to the Wapare.

The Council, recognizing the importance of the emancipation of African women and the influence they have on the advancement of indigenous society, expressed satisfaction with the statement of the Governor and hoped that the Administering Authority would continue to emphasize the improvement of the status of women.

On 10 July 1952, the Council by a vote of 9 to 1 on the first and 8 to 1 on the others adopted four resolutions (469 (XI), 476 (XI), 485 (XI), 488 (XI)) on the petitions. It considered the Administration's approach to the problems of prostitution and venereal disease should contribute to their solution and expressed the hope that the Haya men would become aware of the wider social aspects of these problems and would recognize their responsibilities and co-operate in an effort to improve social conditions in the Bukoba District.

According to the Administering Authority's annual report, there were 155 government-registered and licensed physicians and 153 non-official physicians in 1951, as compared with 135 and 166, respectively, in 1950. The number of qualified government nurses had increased from 142 to 205 in 1951 and the number of non-official qualified nurses from 191 to 217. There were five official and nine non-official dentists, as compared with four and twelve in 1950. The Administering Authority also pointed to the increased budget for the health services, amounting to £1,144,925 in 1951, as compared with £871,089 in 1950. Few changes were reported in the number of hospitals and dispensaries, but the total of maternity and child welfare clinics (Government, mission and Native Authority) had increased from 79 in 1950 to 104 in 1951.

The Visiting Mission reported that it found the number of hospitals too small in comparison with the immense need for health services in the Territory. It also stated that the standard of

⁸⁶ T/Pet.104, 105, 122, 148, 154.

construction of the hospitals was, generally speaking, lower than that of other government buildings such as schools and prisons, and that less building was being carried out by the Government in the medical field.

It further noted that different standards of accommodation existed which appeared to be based exclusively on racial lines. The Mission appreciated that there were many difficulties in the way of a considerable expansion of the medical services and realized that the principal short-term difficulty was the recruitment of the necessary staff. It was not satisfied, however, that everything possible was being done in this connexion. There appeared to have been confused policies in the past, and the Mission noted, even when it was in the Territory, a certain apparent complacency about the medical situation on the part of some Government officials. It was glad to learn that the number of African medical personnel graduating from some of the training institutions was being considerably increased but commented that the rate of increase would need to be much more rapid if the system of dispensaries in rural areas was to be placed on a more comprehensive and more efficient basis. Finally, the Mission expressed the hope that the Administering Authority would continue to provide adequate financial resources to expand medical services and that it would offer salaries large enough to attract the necessary personnel. It doubted whether planning for expansion was on a sufficiently concrete basis and considered that a more comprehensive scheme of medical development should appear in the revised development plan. The shortage of medical facilities and medical personnel was also reflected in two petitions (T/Pet.2/704 and 111) from the Territory.

In its observations (T/977) on the Mission's report, the Administering Authority stated that the rate of building had been governed by the limited capacity of the Public Works Department and contractors, but progress had been made, some of it at places the Mission was unable to visit. A building programme had been carefully worked out and an agreed standard hospital plan approved. The system of describing hospitals or wards as "European" or "Asian" or "African" was somewhat misleading, the Administering Authority observed. The so-called European hospital at Dar-es-Salaam, for example, admitted patients of all races. As a general rule patients wished to follow their own ways of life while in the hospital; the question of feeding was a particular problem. With respect to recruiting staff, the Administering Authority stated that the

position had improved considerably and salaries were no longer a problem. The aim was still to bring the number of medical officers up to a total of 120, but not until the general medical development plan had been much further advanced and more district hospitals and other facilities had become available. The Administering Authority pointed out that it was fully aware of the inadequacy of the present medical services and of the great amount remaining to be accomplished. There were certainly no grounds for complacency. It regretted that the Mission should have received that impression since it did not reflect the attitude of either the Administering Authority or the Government of Tanganyika.

The Tanganyika African Association alleged (T/Pet.2/130) that racial discrimination existed in the provision of medical facilities and stated that African patients suffering from malaria were denied quinine injections for experimental reasons. Opposition was also expressed to the recruitment of Asian doctors, who, it was alleged, were interested only in their private practices and not in African patients.

The Administering Authority stated (T/953/Add.4) that these statements were quite incorrect.

The Trusteeship Council, while noting with approval that there has been some increase in the medical staff during 1951, shared the view of the Mission and of the Administering Authority that existing medical and health facilities were inadequate for the needs of the Territory. The Council also noted with concern the statement of the Visiting Mission with respect to medical training and the standard of construction of hospitals, and recommended that every effort be made to achieve with the least possible delay the objectives of the Administration's medical development plan.

d. EDUCATIONAL DEVELOPMENT

According to the Administering Authority's annual report, total expenditure for education from all sources rose from £1,503,505 in 1950 to £2,075,276 in 1951. Government primary education was free, but varying fees were usually charged in other schools. The number of pupils in African schools increased from 182,942 in 1950 to 210,949 in 1951; most of them attended primary schools run by religious missions. The number of pupils in Asian schools rose from 13,286 in 1950 to 14,445 in 1951 and the number in European schools from 1,417 to 1,655. Reporting on the number of schools for Africans, the Administering Authority indicated that in 1951 there were

1,467 primary schools, as compared with 1,378 in 1950; 28 secondary schools (27 in 1950) and 77 new middle schools were introduced; the number of teachers in these schools rose from 4,645 in 1950 to 4,849 in 1951.

The Administering Authority reported that, despite some opposition on the part of Africans in rural areas to the education of girls and particularly to their post-primary education, the attendance of girls in primary schools increased from 27,846 pupils in 1947 to 55,143 in 1951. The number of girls attending middle and secondary schools increased from 380 in 1947 to 2,469 in 1951.

With respect to higher education, the Administering Authority reported that in 1951, 49 African students from Tanganyika were at Makerere College in Uganda and 22 were studying abroad, as compared with 42 and fourteen, respectively, in 1950. The number of pupils receiving industrial and vocational training rose from 786 in 1950 to 1,091 in 1951.

A mass literacy campaign in the Pare District had been particularly successful, the Administering Authority stated. The establishment of broadcasting facilities at Dar-es-Salaam represented a further development during 1951.

The Administering Authority observed that one of the major problems in the development of education was the shortage of teachers and that every effort would be made to accelerate the expansion of teacher-training facilities. During 1951, it reported, 1,144 pupils were enrolled at 35 teacher-training establishments.

On the whole, the Administering Authority felt that it was making progress toward the attainment of the goals it had set for itself in its ten-year programme for developing education in the Territory. It was intended to accept six Asian students from East Africa in Makerere College in 1952 as an experiment in inter-racial education. The Administering Authority was of the opinion that inter-racial systems of education were better tried out in institutions of higher learning where the English language was more widely understood. The question of language alone would make inter-racial education impracticable in the primary schools, it stated. To achieve the objective of making the greatest possible number of children literate in the shortest possible space of time, the younger children must be taught in the language which could be most easily understood by them. Moreover, any decision to change the language of instruction in primary schools would also have the effect of depriving the Ter-

ritory of the services of a large proportion of its African teachers.

The Visiting Mission found a widespread desire among Africans for a great increase in educational facilities of all kinds and a realization that the extension of education was a cardinal factor in the advancement of the Territory and its people. This was also reflected in many petitions from the Territory.⁸⁷ In the Mission's opinion, the quality of existing educational institutions was good, the system was efficiently administered and the Ten-Year Plan was being implemented energetically.

However, the Mission noted that, if the target for primary education was reached, only 36 per cent of the children would have received four years of primary schooling. While recognizing that the attainment of such a figure by 1956 would represent a considerable achievement, the Mission expressed the hope that the general development of the Territory would permit an enlargement of the objectives of the Plan. Among the most frequent complaints by Africans, it stated, was that only one in five of the pupils completing four years of primary education would be eligible under the Plan for further schooling. The Mission questioned this ratio in view of the needs of the Territory for educated Africans and doubted the adequacy of four years of primary education as a sufficient basis for permanent literacy. A number of petitions⁸⁸ requesting the expansion of secondary education were also received.

The Administering Authority observed (T/977) that the question of the adequacy of a four-year primary education was being studied by an educational mission which had recently visited Tanganyika under the sponsorship of the Nuffield Foundation.

The Mission noted that people in the more advanced districts felt that the Plan restricted their educational development. It referred in particular to the statement by the Chagga Council (T/Pet.2/137) to the effect that they were prepared to make important financial contributions towards the expense of additional education in the Moshi District. The Mission considered that the Government should give additional help to the Chagga and other tribes in advanced districts in return for increased financial contributions on their part.

By resolution 482(XI) of 10 July 1952, adopted by 10 votes to 1, the Trusteeship Council noted the offer by the Chagga Council with

⁸⁷ T/Pet.2/103, 104, 106, 110, 111, 120, 127, 130, 132, 134, 137, 140, 143, 144, 148, 151, 153, 154.

⁸⁸ T/Pet.2/103, 104, 106, 111, 127, 130, 134, 137, 140, 144, 154.

satisfaction and expressed its confidence that the Chagga people would continue to co-operate to the fullest extent with the District Education Committee and that the latter would continue to give due attention to the needs of the Chagga Native Authority schools.

With respect to religious missions, the Visiting Mission stated that it was convinced that they played a useful part in education. Nevertheless, it considered that greater emphasis should be given to the establishment of new Government and Native Authority schools. It pointed out that the need for non-mission schools was particularly great in the predominantly Moslem areas where educational facilities were generally the least adequate.

The Visiting Mission heard complaints and received petitions (T/Pet.2/142 and 148), concerning the charging of school fees. It felt that all primary education should be free and that, in the Bukoba District in particular, there should be other means of raising funds for education. The Administering Authority pointed out (T/977) that the decision to charge a fee in the Bukoba District had been made by the local Education Committee after full discussion in tribal councils, on the understanding that fees would be remitted in necessitous cases.

While the Mission recognized the comparatively backward state of education for girls, it was particularly impressed by the degree of enthusiasm shown by teachers and pupils at the secondary and middle schools for girls which it visited. It expressed the hope that soon some of them would be studying at Makerere College.

The Mission was also impressed by the many skilled operations being performed by African mechanics and it received numerous requests⁸⁹ from Africans for increased facilities in industrial, commercial and technical training. The need for additional facilities of this type was recognized by the Administering Authority, which stated (T/973/Add.2 and 4) that it had been decided to establish two or three new trade schools similar to the one existing at Ifunda. It added that a natural resources school was being built and that an institute to provide higher technical training was also to be established.

Four petitions⁹⁰ received by the Mission requested increased opportunities for study at overseas universities and the Mission, noting that three Africans had received government scholarships for such study in 1951, expressed the hope that the Administering Authority would take more active steps in that direction in the future.

The Administering Authority indicated (T/977) that it expected an increase in the number of students qualifying for scholarships and further pointed out that, since full university courses were available at Makerere College, it was no longer necessary to send students overseas to obtain degrees.

Requests for the establishment of a college of university standing within the Territory were made in nine petitions.⁹¹ The Mission was informed that the Administration was considering the establishment of such an institution within Tanganyika in due course, and it suggested that this matter be given attention at an early date. The Mission also expressed the hope that some means would be found to provide legal training for Africans.

The Mission received petitions (T/Pet.2/116, 120) from Africans and Asians to the effect that inter-racial education should be introduced at least in secondary schools. Noting the opinion of the Administering Authority on this subject, the Mission expressed the opinion that the need to promote inter-racial harmony was urgent. In view of the facility in English shown by pupils in the secondary schools, the Mission was convinced that the Government should give serious consideration to the establishment of a senior secondary school open to students of all communities. The Administering Authority, however, questioned (T/977) the wisdom of starting other inter-racial educational centres before the system had been put into practice at Makerere College.

The Trusteeship Council, while noting with satisfaction that the Ten-Year Plan for education was being implemented in an energetic manner, agreed with the Mission that the targets for post-primary education were too limited and expressed the hope that the Administering Authority would consider expanding this part of the programme. The increase in the number of Tanganyika students receiving higher education was viewed with approval by the Council, as were the increased facilities made available for vocational and technical training. The Council welcomed the Administering Authority's statement that the establishment of a university college in Tanganyika was being actively considered and expressed its confidence that efforts in the important field of technical training would be continued.

The Visiting Mission reported that copies of the official records of the Trusteeship Council

⁸⁹ T/Pet.2/103, 104, 106, 111, 127, 130, 134, 137, 140, 144, 154.

⁹⁰ T/Pet.2/103, 112, 120, 130.

⁹¹ T/Pet.2/106, 108, 111, 113, 120, 130, 134, 140, 144.

had been sent to all provincial offices and that a number had been made available to schools, training centres and welfare centres. The Tanganyika Government had suggested, however, that the number of copies sent to the Territory should be increased from 60 to 150. In all the middle and secondary schools which it visited, the Mission found posters prepared by the United Nations Department of Public Information and was informed they were considered effective as a medium for imparting information about the United Nations. A booklet about the United Nations and the operation of the Trusteeship System, which appeared adequate and well written to the Mission, had been prepared by the Government for use in post-primary schools. The Mission was also informed that pamphlets in Swahili for use in primary schools and distribution to Native Authorities had also been prepared and that the radio station at Dar-es-Salaam broadcast programmes on the United Nations in Swahili. Releases on matters affecting Tanganyika in the Trusteeship Council were being issued to the local Press. The Administration suggested that reprints of articles from the United Nations Bulletin of particular interest to Tanganyika would also be useful. The Mission itself suggested in addition that the Administering Authority might issue further pamphlets in Swahili concerning the Trusteeship System and that African organizations might do much to increase knowledge about the United Nations by translating such documents as the Charter and Trusteeship Agreement into Swahili.

Noting the measure of success achieved in the implementation of its resolutions on the provision of information about the Trusteeship System and the United Nations, the Trusteeship Council endorsed the practical suggestions of the Visiting Mission and the Administering Authority, particularly in regard to the translation of such information into Swahili for dissemination among wide sections of the Tanganyika population.

4. The Wa-Meru Land Question

In petitions to the Trusteeship Council (T/Pet.2/99 and Add.1-7 and T/Pet.2/143), petitioners of the Meru tribe, living in Tanganyika, opposed the transfer of a number of Wa-Meru from the Ngare-Nanyuki and Leguruki areas. The petitioners claimed to speak on behalf of some 3,000 tribesmen and their families, who would be affected by the move.

These petitions were considered by the Visiting Mission to East Africa. The Mission concluded that the removal of land from actual occupation

by Africans in this heavily congested area was open to question and that the matter warranted the serious attention of the Trusteeship Council, particularly if any pressure was brought to bear on the Africans concerned. The Mission also recalled that the Government of Tanganyika had explained to both the 1948 Visiting Mission and to the Council that, if any land were approved for alienation, the Africans then occupying it would be given the option of remaining or removing to any other area they wished.

a. CONSIDERATION BY THE TRUSTEESHIP COUNCIL AT ITS ELEVENTH SESSION

During the eleventh session of the Trusteeship Council, two representatives of the Wa-Meru, Earle Seaton and Kirilo Japhet appeared before the Council—Mr. Seaton at the Council's 431st and 432nd meetings on 30 June and Mr. Japhet at the 451st and 452nd meetings on 21 and 22 July 1952. They made detailed statements and answered the questions of members of the Council.

The representatives stated that during the German regime in Tanganyika, until the end of the First World War, much of the traditional tribal land had been alienated or expropriated. After Tanganyika became a Mandated Territory administered by the United Kingdom, the Wa-Meru were allowed to buy, between 1925 and 1939, two farms on this land from which they had been earlier evicted without compensation and were assured by the Administering Authority that these would always remain tribal lands of the Wa-Meru.

In November 1951, however, although they had repeatedly protested against a scheme for re-alienation of these lands to non-Native settlers, 3,000 Wa-Meru had been forced to vacate their lands. Homes, foodstuffs and livestock had been destroyed and twenty persons arrested and imprisoned, they stated. It was doubtful, moreover, whether the Wa-Meru could live in the new area offered them without changing their whole economic system. This new area, they complained, was inhabited by the tsetse fly and held little promise of fertility. Although it was proposed to refund to the Wa-Meru the price they had paid for the two farms, the amount was now much less than the current open-market value of the land. Moreover, the primary interest of the Wa-Meru was to remain on the lands to which they felt attached by religious, traditional and sentimental ties.

The representatives also informed the Council that the Wa-Meru would not refuse to co-operate in any scheme genuinely designed to relieve congestion of the Native population or to develop

the resources of the Territory in the interests of all its inhabitants; they were not convinced, however, of the merits of this particular scheme of land re-distribution, and the method and timing of its enforcement had provoked resentment.

The Administering Authority (T/953 and T/977) and its special representative (T/PV.431) maintained that the petitioners and their representatives did not represent the Meru tribe but could claim only to express the views of the 312 taxpayers who had been transferred. The Administering Authority regretted that it had proved necessary to use pressure but felt that this was justified in the circumstances—that the removal was part of a general scheme which would benefit the tribe as a whole and one which could not be abandoned at such an advanced stage. The special representative stated that the land had already been allocated to thirteen applicants before the Trusteeship Council's Standing Committee on Petitions had requested information on the matter and, for this reason, it had not been possible to wait for the Council's decision on the petitions.

It was further stated that the tribesmen concerned and their families had been moved from two former German farms which they had bought and on which they had settled; they had not been removed from ancestral lands. The explanations given by the Government of Tanganyika to both the 1948 Visiting Mission and to the Trusteeship Council, which were recalled by the Visiting Mission to East Africa in its report to the Council, reflected the policy of the Administration on such lands. The Administering Authority assured the Council that the persons moved would be fully compensated for the land alienated and for the disturbance; moreover, they would receive their new lands free and would be assisted in re-establishing themselves.

The question was discussed further by the Council when it considered the sixteenth report of its Standing Committee on Petitions (T/L.295) at the 442nd and 452nd meetings of the Council on 10 and 22 July 1952.

At its 452nd meeting the Council adopted, with three drafting amendments proposed by the Dominican Republic, a draft resolution (T/L.295) proposed by the Standing Committee (see below).

The representatives of China, France, New Zealand and the United States, among others, supported the draft resolution. While expressing sympathy for the petitioners, these representatives said that they were convinced that the Administering Authority had acted with the best interests of the Wa-Meru and the Territory in mind.

The drafting amendments by the Dominican Republic (T/L.315) were adopted in separate votes, ranging from 5 to 1, with 5 abstentions, to 3 to 1, with 7 abstentions. The Council, however, rejected by 7 votes to 3, with 1 abstention, a part of the Dominican Republic proposal to delete from the draft resolution a phrase which described as "advantageous to the majority of inhabitants in the Arusha-Moshi area" the scheme of the Administering Authority under which the movement in question took place. The representative of El Salvador, supporting this proposal, felt that this phrase prejudged a question which had not yet been studied by the Council.

The Council also rejected, by a roll-call vote of 8 to 1, with 3 abstentions, part of a USSR amendment (T/L.287) which would call for the immediate return of the lands in question, the prohibition of further alienation and full compensation for the losses suffered by the Wa-Meru during the eviction. By a roll-call vote of 10 to 1, with 1 abstention, it rejected the remainder of the Soviet draft, which would have the Council recommend, inter alia, that the Administering Authority "immediately put an end to its anti-democratic policy towards the indigenous population" and that it not permit any future violation of the rights and interests of the indigenous inhabitants of the Territory. The USSR representative felt that the recommendation by the Standing Committee did not satisfy the petitioners' requests, which should be fully met by a decision of the Council.

In its resolution (468(XI)), adopted by 8 votes to 1, with 2 abstentions, the Council expressed regret that it should have been found necessary to move any of the Meru people from land on which they had settled and to use force in doing so. It recognized that their removal was part of a larger scheme which would benefit the majority of indigenous inhabitants in the Arusha-Moshi area, in that a large area of previously alienated land had been provided for tribal occupation and further under-developed lands would be opened up for tribal expansion. The Council stated that it considered that in future schemes the Administering Authority should be guided by the principle that African communities settled on the land should not be moved to other areas unless a clear expression of their collective consent had been obtained.

It urged the Administering Authority to do all in its power to relieve the hardships suffered by the Meru families who had been required to move, to compensate them generously for their

loss of property and their disturbance, and to continue to make available to them assistance in their resettlement, particularly by helping them build new huts and by undertaking further efforts to eradicate the tsetse fly. The Council further recommended that the Administering Authority should intensify its educational campaign to convince the Wa-Meru of the desirability of reducing congestion in the tribal area by moving to new expansion areas and should carry out a community development and welfare plan as a further effort to direct the activities of the Wa-Meru into constructive channels.

It expressed the hope that the Administering Authority would continue taking all practicable measures to provide for the increasing numbers of the Wa-Meru tribe and to relieve congestion on occupied tribal land and by opening up and developing new lands for cultivation and grazing. Finally, the Administering Authority was asked to keep the Council informed of any further developments in the matter of resettlement in the Arusha District.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The General Assembly considered this question from the 286th to 291st meetings of its Fourth Committee, from 29 November to 3 December 1952, and at its 410th plenary meeting on 21 December 1952, during its consideration of the report of the Trusteeship Council (A/2150).

(1) Consideration by the Fourth Committee

At its 251st meeting on 22 October, the Fourth Committee considered a request from petitioners of the Wa-Meru that the tribe be allowed to make oral presentations before the Committee.

The Committee, on a roll-call vote of 39 votes to none, with 11 abstentions, decided to accede to the request.

Accordingly, at its 286th meeting on 29 November 1952, the Committee heard Mr. Japhet, Secretary of the Citizens' Union of the Meru, assisted by Mr. Seaton, again recount the history of the lands in question and plead for their restoration to the tribe.

Mr. Japhet stated that in 1949 the Wa-Meru were told that the settlers and administrative officers of the Northern Province of Tanganyika felt that the land should be cleared of Wa-Meru and given to European farmers, thus enabling this area to be linked up with the European settlements, and that unused land to the south should be made available to the Wa-Meru families af-

fected. On 6 July 1951, a government official told them that if they did not move they would be moved by force.

The Wa-Meru protested to the local administrative officers and to the Secretary of State for Colonial Affairs, but without effect. In September 1951 they petitioned a United Nations Visiting Mission to Tanganyika. In October the Legislative Council for Tanganyika passed a Bill empowering the Administering Authority to evict by force the Wa-Meru from the Ngare-Nanyuki area. On 17 November about 120 police, seven European officers and 100 Kikuyu tribesmen arrived in the area, arrested six persons, removed food from the houses and set some homes alight. Livestock were taken away. Access to the Ngare-Nanyuki River was barred, the road to Meru closed and the area isolated by barriers.

Mr. Japhet said that some of the 3,000 evicted Wa-Meru were carried in trucks of the Administering Authority to Kingori, where the land made available to the Wa-Meru as compensation was situated. The overwhelming majority refused to settle there, however, and found shelter with friends in other Meru areas. Others became guests of the Masai and Mbulu tribes; others again became squatters on farms held by Europeans.

Casualties and losses resulting from the eviction, he alleged, included the death of 64 persons and the loss of 2,190 cattle, 4,442 sheep, 4,542 goats and 325 donkeys.

Mr. Japhet contended that the Trusteeship Council had failed to recommend that the injustice be corrected by restoring the land and therefore much of the confidence and trust vested in the Council by the Wa-Meru had been lost. The greatest desire of his people, he said, was the restoration of their land and he asked the Committee to recommend its immediate restoration.

Replying to questions by members of the Committee, Mr. Japhet stated, among other things, that:

(1) the whole Ngare-Nanyuki area from which the Wa-Meru were evicted comprised some 78,000 acres but that the area of the two particular farms in question was 5,345 acres;

(2) the Tanganyika Government had made no attempt to arbitrate with the Wa-Meru;

(3) the real reason for the alienation was that the land lay within an area of European settlement;

(4) the Wa-Meru were prepared to accept any instruction and education for their improvement after the restoration of the land; and

(5) the land from which 3,000 Wa-Meru had been evicted was allocated to thirteen European settlers, who had not yet taken up the allocations.

In the general debate, the representative of the United Kingdom, the Administering Authority for Tanganyika, warned the Committee against hasty action on the petition. He said that the main question involved was how the land in Tanganyika might be used to provide the greatest benefit to all. This question had arisen from the great pressure on land resulting from increases of population in the last 60 years since Europeans took over the administration of the Territory. The present estimated African population of the Territory was 8,000,000, composed of many different tribes. Among the smaller sections were the Meru, numbering some 38,000. Only a small proportion of these—some 330 taxpayers and their families, a total of about 1,500 persons—were affected by the move.

The United Kingdom representative denied that the action involved racial discrimination. He drew the Committee's attention to a White Paper (The Meru Land Problem) prepared by the Tanganyika Government which, he said, explained the policy involved and showed the Government's perseverance and patience in trying to persuade the Meru to co-operate in the larger plan and convince them that the scheme would benefit all inhabitants, including themselves. In the comprehensive scheme of resettlement, he stated, more land under European occupation had been alienated than that under African occupation; both Africans and Europeans would suffer temporary hardship. The Government had already explained that every assistance and compensation would be given.

Early in the general debate, a joint draft resolution was presented by El Salvador, Guatemala, Haiti, Indonesia, Liberia, Pakistan, Saudi Arabia and Syria (A/C.4/L.242). The sponsors felt that European and not African interests had been served by the removal of the Wa-Meru; that a serious matter of principle was involved; that the prestige of the United Nations demanded the support of the people of the Trust Territories; and that the Trusteeship Council had failed to apply the principles of the Trusteeship System. These views were supported by representatives of the Byelorussian SSR, Poland, the USSR and Yugoslavia, among others, who claimed that the action of the Administering Authority was a violation of the Trusteeship Agreement for Tanganyika and of the United Nations Charter. They asserted that the move had been designed to consolidate the holdings of European settlers in the Territory and that, in its recommendation on the question, the Trusteeship Council had failed in its obligations.

The eight-Power joint draft resolution would, in the first three paragraphs of its preamble, note the Trusteeship Council resolution, the oral statements before the Fourth Committee by the representatives of the Wa-Meru and the statements by the Administering Authority.

It would further declare that those statements clearly indicated that the Administering Authority expelled some 3,000 Wa-Meru tribesmen from their lands, forcibly and against their will, "with the purpose of transferring those lands to European settlers."

The first three paragraphs of the preamble were adopted by a roll-call vote of 51 to none, with one abstention. The fourth paragraph was adopted by a roll-call vote of 29 to 17, with 7 abstentions, after the sponsors had accepted an Egyptian oral amendment to delete the last phrase. The Committee rejected, by a roll-call vote of 25 to 24, with 3 abstentions, proposals to delete the paragraph, made in joint amendments by Brazil, Ecuador and Peru (A/C.4/L.243) and by Canada, the Netherlands, Norway and Sweden (A/C.4/L.245).

In its operative part, the eight-Power draft would have the General Assembly:

(1) express disapproval of the action of the Administering Authority in proceeding to move the Wa-Meru against their will, in applying force to bring about their eviction and in destroying houses and property;

(2) express its disapproval of Trusteeship Council resolution 468 (XI);

(3) request the Administering Authority to return immediately to the members of the Meru tribe the lands from which they were expelled, to reconstitute their legal rights to these lands, to compensate them for property destroyed or lost and to indemnify them duly for all damages and inconveniences suffered by them as a result of their eviction;

(4) recommend that the Administering Authority should suspend the execution of any plan for the redistribution of land which would entail the eviction of indigenous inhabitants by force;

(5) recommend that the Administering Authority should take adequate measures to train the Wa-Meru in modern methods of agriculture and cattle-ranching, in order that the wealth of the Territory might be increased and that the Wa-Meru might be able to improve their own economic and social status, and that, to this end, technical assistance from the United Nations and its specialized agencies should be sought; and

(6) recommend that the Administering Authority should report fully to the Trusteeship Council, at its summer session in 1953, on the measures taken to implement the resolution.

Alterations to the operative part were proposed in three amendments:

(1) Canada, the Netherlands, Norway and Sweden introduced an amendment (A/C.4/L.245), of which New Zealand became a co-sponsor.

These representatives, although they were sympathetic to the evicted Wa-Meru, considered that transmigration was often necessary and was a problem with which the Administering Authority had to deal. The representative of the Netherlands stated that he felt strongly that the Committee was not in possession of sufficient facts to enable it to judge the question; few legal cases were so complicated as those which dealt with questions of land. Moreover, the General Assembly was not a Court of Justice and therefore the Fourth Committee was neither empowered nor called upon to give judgment in a very intricate case. The best course would be for the Trusteeship Council to carry out a thorough investigation and report back to the Fourth Committee at its following session. The representatives of Australia, Belgium, the Union of South Africa and the United States also cautioned against undermining the authority of either the Trusteeship Council or the Administering Authority.

The five-Power amendment (A/C.4/L.245), which incorporated oral drafting amendments proposed by the representatives of France and Greece, proposed the replacement of the entire operative part of the eight-Power draft by three paragraphs which would:

(1) express the hope that a satisfactory adjustment might be found through consultation between the United Kingdom and the Wa-Meru; (2) invite the establishment, on part of the alienated land, of an experimental farm for the Meru people; and (3) request the Trusteeship Council to report fully on the problem in its next report.

By a roll-call vote of 31 to 17, with 5 abstentions, the Committee rejected the amendment.

(2) An amendment by India (A/C.4/L.244) to the eight-Power draft sought to substitute for the part which expressed disapproval of the resolution of the Trusteeship Council a paragraph which would express regret that the steps taken by the Council to solve the problem had proved inadequate.

This amendment was accepted by the sponsors and adopted by the Committee in a roll-call vote of 27 to 20, with 5 abstentions.

(3) An amendment to the operative part of the eight-Power draft was presented jointly by Brazil, Ecuador and Peru (A/C.4/L.243). Its sponsors stated that while they agreed with a number of features of the eight-Power draft, they felt that an amended version would achieve more, in that it would offer a more moderate approach to the problem.

The three-Power amendment would eliminate that part of the draft which expressed disapproval

of the Trusteeship Council resolution on the question (This part of the three-Power amendment was later withdrawn in view of the adoption of the Indian amendment—see above).

The amendment would further eliminate that part of the eight-Power draft which would express disapproval of the action of the Administering Authority.

The Committee, by a roll-call vote of 27 to 17, with 8 abstentions, agreed to the elimination of the paragraph.

The three-Power amendment would also eliminate from the paragraph of the eight-Power draft—which requested the return of the lands, compensation and indemnity—a request that the Administering Authority restore to the Wa-Meru their legal rights to these lands. The sponsors accepted this part of the three-Power amendment, which was later adopted by the Committee, in separate roll-call votes of 34 to 15, with 3 abstentions, in favour of the return of the land, and 43 to 3, with 6 abstentions, in favour of requesting measures for compensation.

The last three paragraphs of the eight-Power draft resolution were adopted in votes ranging from 40 to none, with 11 abstentions, to 36 to 11, with 5 abstentions.

At its 291st meeting on 3 December, the Committee adopted the amended resolution as a whole by roll-call vote of 32 to 17, with 3 abstentions.

(2) Consideration by the General Assembly in Plenary Session

The resolution recommended by the Fourth Committee (A/2342) was considered by the General Assembly at its 410th plenary meeting on 21 December 1952.

The Assembly also had before it a joint draft resolution by Canada, Denmark, the Netherlands, New Zealand, Norway, Sweden and Uruguay (A/L.141), similar to that presented in the Fourth Committee by Canada, the Netherlands, Norway, Sweden and New Zealand. The seven-Power draft would, among other things:

(1) express regret at the forcible eviction of the Wa-Meru; (2) invite the Administering Authority to make compensation for the alienated land; (3) express the hope that a solution would be reached by the two parties to the dispute; (4) invite the establishment on the land in question of an experimental farm to teach the tribesmen modern methods; and (5) ask the Trusteeship Council to report fully on the matter.

The representative of the United Kingdom told the Assembly that his delegation would vote against the Committee's recommendation, adding that if the Assembly should adopt this draft the United Kingdom would not implement its recommendation. He repeated the views ex-

pressed in the Fourth Committee by the United Kingdom representative, that the question arose out of the problem of the utilization of the land in Tanganyika in the best interests of the whole population and that it was the task of the public authorities to decide on the public interest. He assured the Assembly that there had been no idea of racial discrimination behind the move in alienating the land. The seven-Power draft (A/L.141), he considered, was a constructive proposal.

The representatives of New Zealand, Sweden and Uruguay, sponsors of the seven-Power draft, stated that they believed that their proposal reflected the interest and sympathy of the Assembly in the case of the alienated tribesmen and presented a practicable solution of their difficulties. It was the Assembly's duty to retain the confidence of the tribesmen and this, they felt, could be better achieved by adoption of the seven-Power draft.

Support for the seven-Power draft was also expressed by the representatives of France and the United States. The representative of France said that the Assembly could not take measures which would negate all progress, such as those recommended by the Fourth Committee.

The representatives of Guatemala and Indonesia, however, maintained the position they had taken in the Fourth Committee, that racial discrimination had resulted from the action of the Administering Authority. These representatives also felt that the seven-Power draft did not envisage the problem in the proper light and, further, did not urge the restitution of the land. The United Nations, they said, could not sanction any violation of human rights.

The President of the Assembly ruled that as both proposals before the Assembly related to the operation of the Trusteeship System, under rule 84 of the rules of procedure each would require a two-thirds majority for adoption.

The draft resolution recommended by the Fourth Committee was voted on by roll call and received 28 votes in favour, 20 against and 10 abstentions. Having failed to gain the required two-thirds majority, it was not adopted. Voting was as follows:

In favour: Afghanistan, Bolivia, Burma, Byelorussian SSR, China, Czechoslovakia, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Liberia, Mexico, Nicaragua, Pakistan, Philippines, Poland, Saudi Arabia, Syria, Ukrainian SSR, USSR, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Colombia, Cuba, Denmark, Dominican Republic, France, Greece, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Norway, Sweden, United Kingdom, United States, Union of South Africa, Uruguay.

Abstentions: Argentina, Brazil, Chile, Costa Rica, Ecuador, Panama, Paraguay, Peru, Thailand, Venezuela.

When the vote was taken on the seven-Power draft, the Assembly decided to vote separately on the second paragraph, which would invite the payment of compensation to the alienated Wameru. In a roll-call vote this paragraph received 27 votes in favour, 19 against and 12 abstentions and, accordingly, was not adopted. Voting was as follows:

In favour: Australia, Belgium, Brazil, Canada, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, France, Greece, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Sweden, Thailand, Union of South Africa, United States, Uruguay.

Against: Afghanistan, Bolivia, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Indonesia, Iran, Iraq, Liberia, Mexico, Pakistan, Philippines, Saudi Arabia, Syria, Yemen, Yugoslavia.

Abstentions: Argentina, Burma, Byelorussian SSR, Chile, Czechoslovakia, India, Peru, Poland, Ukrainian SSR, USSR, United Kingdom, Venezuela.

The seven-Power draft, as amended by the deletion of this paragraph, was also voted on by roll call, receiving 21 votes in favour, 21 against and 16 abstentions. The draft resolution was, accordingly, not adopted. Voting was as follows:

In favour: Australia, Belgium, Canada, China, Colombia, Cuba, Denmark, France, Greece, Iceland, Israel, Luxembourg, Netherlands, New Zealand, Norway, Panama, Paraguay, Sweden, Thailand, United States, Uruguay.

Against: Afghanistan, Bolivia, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Honduras, India, Indonesia, Iran, Iraq, Liberia, Mexico, Pakistan, Philippines, Saudi Arabia, Syria, Yemen, Yugoslavia.

Abstentions: Argentina, Brazil, Burma, Byelorussian SSR, Chile, Costa Rica, Czechoslovakia, Dominican Republic, Nicaragua, Peru, Poland, Ukrainian SSR, Union of South Africa, USSR, United Kingdom, Venezuela.

E. CONDITIONS IN TRUST TERRITORIES IN WEST AFRICA

Annual reports submitted by the Administering Authorities on the Administration of the two Cameroons and the two Togolands during 1951 were examined by the Trusteeship Council

during the first part of its eleventh session, held from 3 June to 24 July 1952.⁹² Observations

⁹² See chart on the examination of annual reports, pp. 746-47.

(T/1012) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) on these reports were considered by the Council in connexion with its examination of educational conditions in these Territories.

In 1952, during its tenth and eleventh sessions, the Council also disposed of twelve petitions concerning the Cameroons under United Kingdom administration, eleven concerning the Cameroons under French administration and two concerning both of these Territories, four concerning Togoland under United Kingdom administration, 34 concerning Togoland under French administration and twelve concerning both Togolands.⁹³ The Council adopted resolutions on 59 of these petitions which it examined individually. The remaining sixteen petitions dealt wholly with general problems on which the Council had taken decisions or made recommendations in the past. In accordance with a new procedure⁹⁴ adopted during its eleventh session, the Council passed no resolutions on these petitions but considered the problems raised in them during its examination of the relevant annual reports.

In accordance with General Assembly resolution 553(VI) of 18 January 1952,⁹⁵ the Trusteeship Council decided, by resolution 424(X) of 3 March 1952, that its next Visiting Mission to the two Togolands should also submit a report on the Ewe and Togoland unification problem. On 27 March, the Council decided that the same Mission should also visit the two Cameroons, where it should stay about six weeks, and then return to Headquarters to draft its general reports on the four Territories visited; at the same time, the Council decided that the Mission should be composed of persons nominated by Australia, Belgium, China and El Salvador. The Council later approved, during its eleventh session, on 24 June, the nomination of the following persons as members of its second regular Visiting Mission to the four Trust Territories in West Africa: Roy A. Peachey (Australia) as Chairman, Robert Scheyven (Belgium), H. K. Yang (China) and Roberto E. Quiros (El Salvador). On 22 July, by resolution 465 (XI), the Council directed the Mission:

(1) to investigate and report as fully as possible on the steps taken in the four Trust Territories towards the realization of the objectives of Article 76b of the Charter; (2) to give attention, as might be appropriate in the light of Council and Assembly discussions and resolutions, to issues raised in connexion with the annual reports on the administration of the four Trust Territories concerned, in petitions received by the Council relating to the Territories, in the reports of the first periodic Visiting Mission sent to the Terri-

ories in 1949 and in the observations of the Administering Authorities on those reports; (3) to accept petitions and to investigate on the spot, after consultation with the local representative of the Administering Authority concerned, such of the petitions received as in its opinion warranted special investigation; (4) to examine, in consultation with the Administering Authorities, the measures taken and to be taken with respect to the provision of information about the United Nations to the peoples of the Trust Territories under Council resolution 36(III) of 8 July 1948⁹⁶ and to undertake the duties enumerated in resolution 311 (VIII) of 7 February 1951⁹⁷ on the same question.

Finally, the Council requested the Mission to report, as soon as possible after completing its visits, its findings, with such observations, conclusions and recommendations as it might wish to make.

Conditions in each of the four Territories, as well as an account of some of the more important questions raised in petitions and the conclusions and recommendations of the Trusteeship Council, are summarized below. The Ewe and Togoland unification problem is treated separately in this chapter.

1. Cameroons, Administered by the United Kingdom

This Territory, which is divided near the Benue River by some 45 miles of Nigerian territory, covers a total area of 34,081 square miles. In 1951, according to the Administering Authority's annual report,⁹⁸ it had an estimated indigenous population of 1,083,000. Some 107,000 non-Moslems, referred to as "pagans", lived in unsettled districts having a total area of 1,150 square miles in the north and central parts of the Territory; no persons are permitted to enter such districts except those indigenous to it, public officials and authorized persons, the Administering Authority stated, because of the danger of inter-village warfare during the dry season.

⁹³ For list of petitions dealt with by the Council, during 1952, see Annex.

⁹⁴ See pp. 82-85.

⁹⁵ See Y.U.N., 1951, pp. 765 & 768; see also pp. 85-86.

⁹⁶ See Y.U.N., 1947-48, pp. 733-34.

⁹⁷ See Y.U.N., 1951, p. 789.

⁹⁸ United Kingdom, Colonial Office: Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of the Cameroons under United Kingdom Trusteeship for the year 1951 (H.M.S.O., London, 1952, Colonial No. 288). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Eleventh Session (3 June-24 July 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

a. POLITICAL DEVELOPMENT

The Trust Territory continued to be administered as an integral part of the adjoining British Protectorate of Nigeria, sharing a common constitution, budget and administrative and technical services.⁹⁹ The whole of Nigeria, including the Cameroons under United Kingdom administration, is divided into three broad regions, the Eastern, Western and Northern Regions, each under a Lieutenant-Governor. The southern portion of the Trust Territory, consisting of two self-contained Provinces, Cameroons and Bamenda, forms part of the Eastern Region of Nigeria; a Commissioner of the Cameroons is responsible to the Lieutenant-Governor of the Eastern Region for the administration of the southern Cameroons and to the Governor of Nigeria for Trusteeship matters affecting the Trust Territory as a whole. The northern portion of the Trust Territory forms parts of three different Nigerian Provinces, which in turn form part of the Northern Region of Nigeria.

Proposals for political reform reviewed by the Trusteeship Council in 1951¹⁰⁰ were put into effect, according to the Administering Authority's annual report, under the Nigeria (Constitution) Order in Council, 1951. The new Constitution established: a central Council of Ministers as the principal policy-making body for all of Nigeria and the Trust Territory; a House of Representatives, a central legislature with complete control over expenditure and legislation; and an Executive Council and Regional Legislature for each Region of Nigeria (the Regional Legislature for the Northern Region is a bicameral one, comprising a House of Chiefs and a House of Assembly).

The Administering Authority reported that the people of the Trust Territory went to the polls for the first time in 1951, to elect members to the Northern and Eastern Houses of Assembly. The franchise in both Northern and Eastern Regions was extended to all adult Nigerian taxpayers who either had a residency qualification in the constituency or were natives of it. In the Eastern Region, representatives were elected in primary elections to form an electoral college for each of the five existing divisions; this electoral college in turn elected from among its members representatives to the Eastern House of Assembly. In the Northern Region, the constituency was a Province and, between the primary electorate and the electoral college of the Province, there were not less than two intermediate stages of electoral colleges. The elections were preceded by a campaign conducted throughout the Trust Ter-

ritory to familiarize the inhabitants with the procedure of the elections and to explain their significance. Nevertheless, the amount of interest shown in the Bamenda and Cameroons Provinces, which elected thirteen of the 80 members forming the Eastern House of Assembly, was disappointing, with few elections contested, the Administering Authority stated. With respect to the northern part of the Trust Territory, which elected three out of the 90 members of the Northern House of Assembly, the Administering Authority observed that in the Bornu Province, which includes the Dikwa Division of the Cameroons, the average poll was 60 per cent, while in the Adamawa Province the people generally took great interest in the primaries. The northern portion of the Trust Territory is also represented in the Northern House of Chiefs by the Emir of Dikwa. Referring to an earlier suggestion by the Trusteeship Council that it take special precautions to ensure that the interests of the Cameroons were not prejudiced by those of Nigeria, the Administering Authority pointed out that the Trust Territory, with an adult male population of 5.6 per cent of the total for Nigeria, had a combined representation in the Regional Houses of 14.4 per cent. In the north, the ratio was 3.3 per cent representation to 3.6 per cent population and in the south 16.2 per cent representation to 10.8 per cent population.

The Regional Houses in turn elected from among their members 136 members of the central House of Representatives, which otherwise comprises six ex-officio members, not more than six special members and a President; six of the members elected from the Eastern House and two from the Northern House of Assembly were Cameroonians. One of these was also the Trust Territory's representative in the Council of Ministers, which consists of six ex-officio members and twelve Ministers, with the Governor as President. The Trust Territory is represented in the Executive Council for the Eastern Region by two members, one of them the Commissioner for the Cameroons, the other a representative from the Eastern House of Assembly, but no member of the Executive Council for the Northern Region is a Cameroonian.

The Trusteeship Council welcomed the benefits which the new Constitution for Nigeria and the Cameroons made available to the Trust Territory in the form of representation on the regional

⁹⁹ The Trusteeship Council examined this question in 1952 as part of its study of administrative unions; see pp. 737-38.

¹⁰⁰ See Y.U.N., 1951, pp. 711-14.

and central executive and legislative organs of government, the introduction of modern methods of suffrage and general experience in democratic government. Noting, nevertheless, that indifference towards the first elections was observed in some areas, the Council urged the Administering Authority to continue by all practicable means to foster the political education of the inhabitants and encourage them to participate fully in the operation of the new government.

Native Authorities, functioning under the supervision of administrative and technical government officials, are responsible for local government. The Administering Authority considered that the political developments during 1951 under the new Constitution were of such importance that such changes as took place in local government could not be compared to them. It reported that a promising start had been made in connexion with the Man-o'-War Bay scheme, in the Victoria Division of the Cameroons Province, for training potential leaders in community development; two successful courses were held in 1951, it stated, but it was still too early to say whether similar training centres would be opened elsewhere. In the north, the 1951 elections had aroused the interest of the people of Adamawa and Dikwa in their own local affairs. In the Adamawa Province, local government had been discussed and the broadening of the Lamido's council was under consideration. In Dikwa, the Emir was formally installed in 1951, two educated men were appointed to fill vacant district headships, five more district councils were formed (so that all districts had such councils by the end of 1951) and village scribes were appointed to improve village administration.

The Trusteeship Council considered that during the consolidation of the new constitutional reforms it was essential for the balanced political development of the population that comparable advances take place in local government. Noting that the Administering Authority's policy was to bring about the evolution of existing tribal and other local government institutions into more modern and democratic forms, the Council welcomed the steps already taken in this direction and expressed an interest in receiving information on additional measures and the progress made in implementing them.

According to the Administering Authority's annual report, there were no significant changes during 1951 in the civil service or the judicial organization.¹⁰¹ The inquiry into the working of indigenous courts in the Cameroons had not been made since the Chairman of the Commission of

Enquiry had been unable to visit the Territory during 1951, as originally planned. The Administering Authority stated, however, that he had recommended that a special commission investigate the situation in the Trust Territory.

b. ECONOMIC DEVELOPMENT

The Territory's economy, according to the Administering Authority, is in the south based primarily on the plantation lands, which produce bananas in particular, and also rubber and palm produce, the principal exports from the Cameroons, and elsewhere is based on peasant agriculture and cattle raising. Over half a million cubic feet of timber and firewood were produced from the Territory's forests in 1951. Except for palm produce and rubber-processing factories in the plantation areas, and local cottage crafts, there was no industry in the Territory. Neither were there any known mineral resources of economic value.

Apart from subsistence farming, indigenous farmers produce some export crops, of which cocoa, palm products and groundnuts are sold through statutory Nigerian Marketing Boards. Agricultural and animal husbandry services are provided both by the Nigerian technical departments and by the Native Authorities, the Administering Authority indicated. In the northern Cameroons, there was a staff of trained African agricultural assistants within the Trust Territory. The scheme for the distribution of fertilizers in Dikwa Emirate, the Administering Authority reported, resulted in a striking increase in yields during 1951 and experimental sowing and transplanting of Virginia tobacco in Dikwa also gave promising results. In the southern Cameroons, there were an agricultural experimental station, five smaller demonstration farms and a livestock investigation centre. A senior agricultural officer and a cocoa survey officer were stationed in the area during 1951, and the Administering Authority reported progress in the rehabilitation of abandoned cocoa farms and improvement in the quality of cocoa. The veterinary staff in the Territory included a senior veterinary officer and four other officers, all on a part-time basis. While there was no meat shortage in the northern section, the Administering Authority observed, the meat supply in the Cameroons Province was not yet satisfactory and the Bakweri people continued to oppose the use of grassland on the Cameroons Mountain for cattle.

Five British trading companies continued to operate in the Territory during 1951. As a means

¹⁰¹ For further information, see Y.U.N., 1951, p. 713.

of promoting indigenous participation in trade and industry, the Administering Authority stated, it was encouraging the expansion of co-operative societies. According to the annual report, there were 34 such societies in 1951 with a total of 1,579 members, of whom 1,108 were members of cocoa marketing societies. There were also three unions of marketing societies involving 24 societies, and one co-operative village shop, with a membership of 38, was opened at Gwoza in 1951. The Administering Authority stated that about 10 per cent of the total cocoa crop was marketed co-operatively during the year but efforts to establish village co-operative societies for the benefit of small cocoa farmers had aroused little interest.

By far the largest plantation enterprise in the Territory is the statutory Cameroons Development Corporation, set up to operate former German plantation lands as a public enterprise and for the benefit of the people of the Territory. In the past, the Trusteeship Council's principal interest in the operations of the Corporation has centred on the application of the latter principle. The Corporation is managed by a nine-member board of directors, three of them Cameroonians. Its principal products are bananas, oil palm produce and rubber. Production showed a steady increase. This was particularly true of bananas, the chief crop, exports of which rose from 1,281,330 stems in 1947 to 5,773,208 stems in 1951, all of which, as in previous years, was sold to the United Kingdom Ministry of Food; the price in 1951 was £32 a ton, the same as in 1950.

The Corporation's accounts for 1951 showed a working profit of £635,000 (£317,426 in 1950), of which £230,000 (none in 1950) was placed in reserve for staff welfare, £350,000 (£280,000 in 1950) was set aside for the 1952-53 income tax assessment, and the remaining £55,000 (£53,296 in 1950) was declared surplus profits to be expended for the benefit of the inhabitants of the Trust Territory. All the 1948 surplus profits and part of the 1949 surplus had been allocated to the Cameroons, after consultation with local development committees, for local development schemes, medical services, reading rooms and scholarships in the southern Cameroons and for transport facilities and a health centre in the north. The allocation of the balance of the 1949 profits and of the 1950 profits was under discussion during 1951. During the eleventh session of the Trusteeship Council, the special representative of the Administering Authority informed the Council that a conference, attended by rep-

resentatives from both the northern and southern sections of the Cameroons, had been held to discuss expenditure of the Corporation's surplus profits for 1950. The conference adopted allocation principles designed to secure equal treatment for all parts of the Trust Territory and reached unanimous recommendations on projects of social and economic development which the Governor of Nigeria had been asked to approve.

Although the Cameroons and Nigeria shared a common budget, the Administering Authority included separate estimates for the Cameroons in its annual report. It reported a continued surplus of revenue over expenditure for the second consecutive year. Revenue and expenditure amounted to £1,202,000 and £998,000, respectively, for 1950-51 as against £1,106,000 and £880,000 for 1949-50. The continued improvement in the financial situation over previous years was again attributed to the increasing prosperity of the Cameroons Development Corporation and an important banana estate operated by a commercial company under licence from the Corporation. The Nigerian Government decided that the whole of the current and future surpluses should be paid into a Cameroons Development Fund, which was established in March 1951 with an initial contribution of £350,000. The Fund is administered by the Governor, with the advice of the Commissioner of the Cameroons, in consultation with regional authorities and after discussion with representatives from the Trust Territory. The Territory also benefits from expenditure under the ten-year development plan for Nigeria; projects specifically for the Cameroons during the financial years 1951-52 and 1952-53 amounted to £380,392, of which £38,060 would be spent in the northern Cameroons, the Administering Authority reported. Other sources of development revenue for the Cameroons, apart from the surplus profits of the Cameroons Development Corporation, included grants made by the Nigeria Cocoa and Oil Palm Produce Marketing Boards.

Under the new Constitution, the various Regions of Nigeria will have, for the first time, their own sources of revenue and will arrange their own laws instead of, as in the past, disbursing moneys voted them by the Government of Nigeria. Development projects in the Territory will thus be undertaken by the Eastern and Northern Regional Production Development Boards which cover the southern and northern Cameroons, respectively. These Boards have assumed responsibility for commitments entered into by the Marketing Boards, which no longer

administer development projects directly but make grants to the appropriate Regional Production Development Board. The Administering Authority stated that the Boards have strong African representation and that one of the nine members of the Eastern Board comes from the Cameroons. In 1951, the Administering Authority reported, this Board made a grant of £165,000 for coffee production in Bamenda Province, and the Northern Board was considering an application for a grant in connexion with an agricultural resettlement scheme near Gwoza designed to promote the emergence of the "pagans" of the unsettled districts from their isolation.

Besides expenditure from these sources, the Native Authorities have their own budgets, with revenues estimated to total £282,600 in 1951-52, mainly from indigenous taxes, and expenditures, estimated at \$260,100, devoted to local works and services. Their largest single item of expenditure, as in previous years, was on administration and amounted to £36,000.

The Trusteeship Council expressed satisfaction with the continued buoyant economic situation of the Trust Territory and the particularly important contribution made to it by the Cameroons Development Corporation. Nevertheless, it drew attention, as in the previous year, to the predominance of banana production in the economy and recommended that the Administering Authority continue giving careful attention to diversifying agricultural production. The Council asked that further information be given on this matter in the next annual report. The continuing contribution of the Cameroons Development Corporation to the social and educational development of the Territory, both through its own operations and the allocation of its surplus profits for the benefit of the Territory as a whole, was also noted by the Trusteeship Council. It welcomed, in particular, the inauguration of a representative territorial conference as a means of determining the application of the surplus profits to public projects and expressed the hope that such consultations would be continued and their scope broadened as and when appropriate. The Council recalled that it was the intention of the Administering Authority eventually to transfer the management and control of the Corporation to the indigenous inhabitants, but recognized that too drastic a change from the existing system of management might impair both the efficiency of the Corporation and its economic importance to the Territory. It therefore recommended that indi-

genous inhabitants continue to be brought into posts of responsibility in the Corporation as rapidly as they were equipped to fill them. In this connexion, it suggested that the Corporation's scholarship programme be directed as far as practicable towards training in business and technical methods appropriate to the management of the Corporation.

The importance of more and better roads to the Territory's economy had been emphasized in the past by the Administering Authority, the Visiting Mission, the Council and a number of petitioners. In 1951, the Administering Authority reported, the total mileage of motorable roads was 1,470, compared to 1,366 in 1950. The first part of the road development programme, made possible by the favourable financial position of the Territory since 1949, as well as by generous contributions from Nigeria and the United Kingdom, would be the improvement of the Victoria-Bamenda road, the construction of a road into the isolated Tigon-Ndoro-Kentu area (projects which alone would cost some £900,000) and the improvement of the road south from Bama to link the northern and southern sections of the Territory. Contributions to these developments included a special allocation by the Nigerian Government of £148,911 and another from the United Kingdom of £150,000.

Recalling the emphasis which it had placed on the importance of road communications to the development of the Territory, the Trusteeship Council noted with satisfaction the further concentration of planning and effort devoted to road construction by the Administering Authority. In particular, it noted the substantial further allocations of funds for this purpose and urged the Administering Authority to press forward with its programmes of road development.

Of the Territory's 34,081 square miles of land, about eleven and a half square miles are held by the Government and some 460 square miles, most of which was alienated in the southern Cameroons during the German regime, are held by the Cameroons Development Corporation, trading companies, missions and non-indigenous inhabitants. All other lands, as well as the 395 square miles leased to the Corporation, have been declared Native lands, which the Governor of Nigeria is required by law to hold and administer for the use and common benefit of the inhabitants. According to the Administering Authority's report, missionary societies held some 4,075 acres of land in 1951, an increase of 179 acres over the previous year. In addition, grants of 12,500 acres of Native land for cattle rearing

and 1,200 acres for a leper settlement were approved during 1951, to await demarcation and survey. Grants to the Eastern Regional Production Board of 1,200 acres of Native land for coffee growing and 5,600 acres for cattle rearing were also approved.

Problems resulting from the alienation of lands in the south formed the subject of a number of petitions examined by the Trusteeship Council. In various petitions submitted since 1946, the Bakweri Land Committee has complained that lands operated by the Cameroons Development Corporation had been taken illegally by the Germans from the Bakweri people. The Committee sought the return of the lands to the Bakweri with compensation. Subsequently, the Administering Authority drew up a programme, which was endorsed in 1950 by the Trusteeship Council, for the resettlement and rehabilitation of the Bakweri. Representatives of the latter, however, insisted on the recognition of their ownership of the land which had been alienated. The Administering Authority reported that during 1951 the Bakweri Land Committee continued to refuse to co-operate in the implementation of the resettlement scheme, but it observed signs of growing interest among other sections of the Bakweri. It concluded that the scheme would therefore be carried out in co-operation with those who were willing to participate. In a later petition (T/Pet.4/76 and Add.1), the Bakweri Land Committee rejected the idea that the Bakweri people might have had a change of heart regarding the resettlement scheme, the execution of which, it held, should be preceded by an unequivocal pronouncement by the Trusteeship Council that the Bakweri people were recognized as the sole legal owners of the plantation lands within their tribal area. They requested that the Council arrange for an investigation of the matter by an international judicial body, to accompany the next Visiting Mission to the Territory.

In commenting on the petition, the Administering Authority stated (T/955/Add.1 and T/C.2/SR.39) that it appeared that the Bakweri Land Committee could no longer fairly claim to be fully representative of the Bakweri people, that other Bakweri representatives had now approached the Administration with requests for implementation of the plan, and that prospects of progress in the matter were markedly improving. The special representative of the Administering Authority informed the Council, at its eleventh session, of the formation of the Bakweri Farmers' Union, a co-operative society of some 70 members pledged to support the plans for Bakweri

resettlement. The Union had already begun selling to the Cameroons Development Corporation bananas produced by its members. The ultimate objective was the exploitation by Bakweri farmers of lands to be excised from the Corporation's holdings in accordance with the Administration's plans. If the Union were successful, the special representative stated, there was a reasonable prospect of making headway with the schemes for Bakweri rehabilitation.

After examining the petition, together with the observations of the Administering Authority, the Trusteeship Council on 22 July 1952 adopted, by 10 votes to 1, resolution 616(XI), in which it reaffirmed its sixth session resolution¹⁰² on the question and urged the petitioners to co-operate with the Administering Authority in its schemes for the resettlement and rehabilitation of the Bakweri.

In another petition (T/Pet.4/82), the Bamenda Improvement Association alleged that land had been wrongfully taken from them by the people of Bali. Their suit having been rejected by the Nigerian Supreme Court, a number of people demonstrated before the judge and the petitioners "declared civil war" against the Balis. The Association asserted that the subsequent disorders were due to bad administration, and demanded that periodic reports on the disturbances should be sent to the Governor and the Press of Nigeria. The Administering Authority observed (T/1013 and T/C.2/SR.39) that since the Balis were in effective occupation of the land when European administration was established, the validity of their title by right of conquest must be recognized. During the disorders, it stated, about 5,000 armed persons burned homes and looted crops and property in Bali territory but order was restored without the use of force. It added that the Governor of Nigeria had appointed a judge of the Supreme Court to conduct an inquiry into the rival claims of the disputants.

On 22 July 1952, by resolution 620(XI), adopted by 10 votes to none, with 1 abstention, the Council requested the Administering Authority to inform it of the results of the inquiry. Pending the outcome of the inquiry, the Council considered that it need make no recommendation.

Another land dispute was referred to in a petition (T/Pet.4/81) from the Bwinga Native Community objecting to the Government's payment of compensation, for land occupied by the United Africa Company, to the Victoria Native

¹⁰² See Y.U.N., 1950, pp. 705-6.

Administration rather than to the petitioners themselves. The petitioners requested the Council to intervene with the Administering Authority on their behalf. The Administering Authority informed the Council (T/C.2/SR.39) that a sum equivalent to rent for the land was being paid to the Victoria Native Administration — the nearest and smallest unit of local government in the area — for the benefit of the indigenous population of the area and that it was not prepared to transfer the revenue derived from the property to the petitioners. In the circumstances, the Council decided on 22 July 1952, by 10 votes to none, with 1 abstention, that no recommendation on its part was necessary (resolution

c. SOCIAL DEVELOPMENT

Although there were no regular or Territory-wide studies of either standards or costs of living, the Administering Authority stated that it could be safely assumed that the standard of living in the plantations area had improved considerably as a result of wage increases and the establishment of plantation shops. Sharp rises in prices for agricultural commodities generally had also helped to increase the prosperity of farmers.

The only large wage-labour force in the Cameroons is in the southern part, particularly in the plantations area. In 1951, according to the Administering Authority's annual report, out of a total of some 34,600 wage-earners, about 25,000 were employed in agriculture, mostly on the plantations. Of the latter, 17,000 belonged to the Cameroons Development Corporation Workers' Union, and 3,000 workers on the largest commercial banana plantation were also unionized; smaller numbers of wage-earners belonged to unions of transport and public service workers. The Administering Authority reported four disputes resulting in work stoppages during 1951, three involving Corporation workers. The most serious of the three, involving 700 workers, concerned a request for a change of working hours and the reinstatement of five dismissed workers, which was granted; another stoppage, in protest against an allegedly excessive task, lasted 26 days, and the third, involving eighteen men, concerned wages. Wage increases were also demanded in the fourth dispute and work was resumed after intervention.

The Administering Authority reported that 1951 marked the publication of the first newspaper in the Cameroons, *The Eastern Outlook and Cameroons Star*, a weekly with correspondents

in the Southern Provinces of the Cameroons.

The Administering Authority observed that child marriage was still practised in the Territory but it outlined the steps taken to improve the status of women. Some held positions in government or business, it stated, some had been elected to the new Federal Councils, and the majority of Native courts had at least one woman sitting on the bench. Two women from the Cameroons were receiving higher training in the United Kingdom during 1951. In addition, domestic science centres had been established in the southern Cameroons and the Bamenda Women's Institute had continued to flourish.

The Trusteeship Council recommended that the Administering Authority continue its efforts to improve the status of women and requested that further information on the measures undertaken be included in the next annual report. The Council further recommended that the Administering Authority continue to urge the progressive abolition of child marriage.

The abolition of corporal punishment has been repeatedly recommended in the past by both the Trusteeship Council and the General Assembly. By resolution 562(VI) of 18 January 1952,¹⁰³ the latter urged the Administering Authority to comply with its recommendations on this subject without delay. In its annual report for 1951, the Administering Authority replied that it would continue to work towards the abolition of corporal punishment, although the achievement of this aim remained dependent on its acceptance by African public opinion and on the existence of alternative penalties. Action had been taken, however, to limit the offences for which corporal punishment may be inflicted and to abolish the power of Native courts to award this punishment to adults in the Eastern Region of Nigeria, which includes the southern Cameroons.

After noting this recent action by the Administering Authority, the Council again drew the Administering Authority's attention to previous recommendations concerning corporal punishment, particularly General Assembly resolution 562 (VI), and urged it to make every effort to bring about the complete abolition of corporal punishment.

With respect to medical and health services, the Administering Authority reported an increase in total personnel from 396 in 1950 to 423 in 1951; personnel in 1951 included fifteen doctors, eighteen nursing sisters and 50 African qualified

¹⁰³ See Y.U.N., 1951, p. 787.

nurses. In addition, the Administering Authority pointed out, some of the Nigerian medical staff give part of their services to the Trust Territory. Government expenditure on medical services in 1950-51 amounted to about £82,300, including expenditure under the Development and Welfare Plan. Facilities included, in the Cameroons and Bamenda Provinces, one mission hospital, seven government hospitals, one main hospital and four other hospitals provided by the Cameroons Development Corporation, 20 Native Authority dispensaries and 30 Corporation dispensaries. A medical field unit also operated in the southern section and a leprosy research project was still in progress. Facilities in the northern section were more limited, but the Administering Authority reported progress during 1951 in the construction of the Mubi hospital, the first in the north. Meanwhile, the northern area was served by a few dispensaries, leprosy treatment centres and mobile field units. Otherwise it was dependent on facilities in Nigeria. The building, in the near future, of a Medical Assistants' Training School at Kano in Nigeria would, the Administering Authority anticipated, make possible the training of more African medical assistants from the northern section.

The Trusteeship Council urged the Administering Authority to press forward with its efforts to expand medical and health facilities, particularly in the northern area, and to modernize leprosy treatment. Noting that there was a lack of adequate information on the incidence and causes of infant mortality in the Territory and recognizing the difficulties involved in obtaining such information, the Council asked the Administering Authority to furnish as precise as possible an analysis of this aspect of public health.

d. EDUCATIONAL DEVELOPMENT

The educational system in the Trust Territory is under the supervision of the Inspector-General of Nigeria, with central and regional advisory boards, which included no members from the Cameroons. Estimated public expenditure on education in 1950-51, according to the annual report, amounted to £133,200, including about £24,000 by Native Authorities, as compared with £118,200 in 1949-50. Figures on the expenditure by missionary societies were not available. Government grants-in-aid to education, including development and welfare grants, amounted to £94,200 in 1950-51; missionary societies alone received £56,600 in grants in 1951. The percentage of illiteracy in the Territory, outside the Victoria Division in the south, was estimated by

the Administering Authority at over 90 per cent, and higher among women and elderly persons.

In 1951, the Administering Authority reported, the Trust Territory had 302 primary and vernacular schools, attended by 28,960 pupils in the southern section and 2,060 pupils in the northern area; two secondary schools, with an enrolment of 317 pupils; and seven teacher-training schools, with 340 pupils. The Administering Authority stated that 252 of the schools, including both secondary schools, were run by missions and 50 by the Government and the Native Authorities. Except for 36 primary schools and one teacher-training school in the northern section, all schools were in the south. A slight increase over 1950 was reported in the percentage of enrolment of school-age children in the Territory, averaging in 1951 about 24.5 per cent in the south and about 1.5 per cent in the north, but the annual report showed a reduction in the number of teachers during 1951.

There was a continuing scarcity of higher elementary certificated teachers for senior primary schools in the south and the supply of indigenous teachers in the north was still inadequate, the Administering Authority observed. It anticipated, however, that the opening of a new higher elementary class in the training centre in the Cameroons Province in 1952 would ease the situation in the south by 1954 and that the continued expansion of the teacher-training centre at Mubi, in the north, would improve the situation in that area. The opening of the first Trade Training Centre in the Territory, at Ombé, originally scheduled for mid-1951, was expected to take place early in 1952, the Administering Authority stated.

The Trusteeship Council had previously made recommendations for the eventual establishment of free primary education. The Administering Authority reported that school fees continued to be charged in all except vernacular schools but that the Cameroons Development Corporation was embarking on a programme of free primary education for the children of all its workers. According to the annual report, the annual rates in the Government primary schools at the junior level were 12s. 6d. and at the senior level 25s.; in the Native Authority and mission schools the rates varied, depending on the classification of different areas as "primitive", "poor" or "wealthy". Fees of £18 per annum for tuition and board, plus £3 for books and uniform, were charged in one secondary school and £12 per annum, plus £4 for books for newly-enrolled pupils, were charged in the other. However, scholarships to secondary schools

both in the Territory and in Nigeria were provided by the Government, Native Authorities and the Cameroons Development Corporation; the latter, in 1951, provided eighteen such scholarships in addition to those awarded exclusively to children of employees. Scholarships were also provided for higher education at the University College at Ibadan, Nigeria, and at institutions in the United Kingdom. In 1951, the Administering Authority stated, 31 Cameroonians were pursuing courses of higher education in Nigeria or overseas on scholarships, fifteen of them granted by the Government and British Council and the rest by the Cameroons Development Corporation.

In the field of adult education, the most notable progress was reported in the plantation areas, where 2,283 pupils were enrolled in adult education centres run by the Cameroons Development Corporation. In 1951, the Administering Authority stated, the Corporation employed five organizers for this purpose and six full-time teachers in 22 sewing classes attended by wives of estate employees. Progress was also reported in the north, where five adult education organizers "had been appointed and primers in Fulfulde were being prepared. In the Mubi District considerable interest was shown in these projects, the Administering Authority observed. Domestic science centres continued to attract good attendance, but three domestic science and adult women's training centres in Bamenda, which had suffered from lack of supervision, had had to be closed during 1951. Apart from a few libraries belonging to schools, Native Authorities and training centres, there was a small library of adult education literature at Tiko and a circulating library of 1,600 books provided by the Corporation for the estate labour camps.

The Trusteeship Council noted that, although budgetary allocations for education continued to increase, the estimated rate of illiteracy remained high. The Council therefore recommended that the Administering Authority take further steps to meet the educational needs of the Territory and expressed the hope that it would utilize the technical knowledge of UNESCO and other organizations. The Administering Authority was recommended in particular to increase its efforts to provide primary education facilities, especially in the north, and was urged to take steps to ensure that the local authorities which were responsible for education in the north adequately carried out the role entrusted to them. As it attached particular importance to the progressive education of women, the Council asked that the school enrolment of boys and girls be shown

separately in future annual reports. Noting that fees continued to be charged at primary schools in the south, the Council recalled its previous recommendation on the subject and urged the Administering Authority to review its policy with a view to taking progressive measures, such as allowing an increasing number of exemptions from the payment of fees, towards the ultimate objective of free education. The Council also expressed the hope that the decrease in the number of teachers during 1951 would prove only temporary and that the accelerated supply of teachers of high standard anticipated by the Administering Authority would result in a progressive improvement in the situation. Finally, after noting the further progress made in adult education, particularly through the influence and activities of the Cameroons Development Corporation, the Council expressed the hope that, in view of the high percentage of illiteracy in the Territory, the Administering Authority would continue its efforts in this field.

2. Cameroons, Administered by France

This Territory, which covers an area of 432,000 square kilometres, had an African population of 3,062,835 in December 1951, according to the Administering Authority's annual report,¹⁰⁴ as compared with 2,997,164 in January 1950. The European population increased from 12,021, of whom 8,988 were French, at the end of 1950 to 13,733, of whom 11,482 were French, in December 1951.

a. POLITICAL DEVELOPMENT

The Territory continued to be integrated within the French Union as an "Associated Territory"¹⁰⁵ and governed by the legislative and executive organs of the French Republic and the French Union in France. The Cameroons elects four deputies, one by the electoral college of French citizens and three by the college of Africans, to the French National Assembly; three representatives, two of them Africans, to the Council of the Republic; five representatives, three of them

¹⁰⁴ France, Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'Administration du Cameroun placé sous la tutelle de la France, année 1951 (Paris, 1952). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Eleventh Session (3 June-24 July 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

¹⁰⁵ The existing arrangements between the Cameroons and the French Union were the subject of a special study of the Trusteeship Council during 1952; see pp. 739-40.

Africans, to the Assembly of the French Union; and two representatives, both Africans, to the Economic Council of the French Union. A local Territorial Assembly functions within the Territory. It discusses and passes the budget and may discuss and make decisions on other matters provided they are non-political.

On 17 June 1951, the Administering Authority reported, elections to the French National Assembly were held in the Trust Territory. For these elections, the Administering Authority stated, the categories of electors had been increased under a new Act and special action had been taken to make voting easier and to induce those on the electoral lists to vote. As a result, the number of Africans registered on the electoral lists for the first college increased from 116,566 in March 1951 to 532,475 in June 1951; of the latter 234,611 electors voted. The abstention of 45 per cent of those registered was attributed in the annual report to geographical difficulties, the stage of development of the people and, particularly, the persistence of certain customs unfavourable to the emancipation of women. The college of citizens of French status comprised 6,140 voters at the time of the elections. The Administering Authority pointed out that the electoral body in the Cameroons was slowly becoming aware of its civic rights, largely as a result of the continuous growth of the civil registration system. Four large new registration centres were set up in 1951, the Administering Authority reported. In the south, the annual report noted, the inhabitants attached particular importance to the registration of births, marriages and deaths as a means leading to the franchise, but the introduction of registration was meeting with difficulties in the eastern and northern areas among peoples under the influence of traditional institutions, and particularly among the Kirdis, or "pagans", a still primitive people who found it hard to understand the desirability or necessity of registration. Inadequate registration, the Administering Authority's report added, was the sole obstacle to the introduction of universal suffrage, as had been recommended by the Trusteeship Council

As described in the annual report, the political parties, other than purely local parties, in the Territory included:

(1) the Union des populations du Cameroun (UPC) which had been at odds with the Rassemblement démocratique africain (RDA) ever since the latter detached itself from the Communist Party, and whose representative received 3,077 votes out of 16,950 recorded at the last electoral consultation; the Kumzse which had separated itself from the UPC but was still active

locally among the Bamiléké; (2) the Union des Syndicats confédérés (USCC), which had split into two groups, one remaining faithful to the metropolitan Confédération générale du travail (CGT) and the other forming an association of indigenous trade unions; (3) the Union sociale camerounaise (ESOCAM), a non-revolutionary progressive party; (4) the Renaissance camerounaise, a progressive party of the central area; and (5) the Bloc démocratique camerounais, a new party directed by members of the intelligentsia in the central and western areas.

The first of these parties, the UPC, claimed (T/Pet.5/97/Rev.1) that the Administration encouraged the drawing up of lists of electors favourable to its own candidates. In another petition (T/Pet.5/99), the UPC requested the establishment of a single college of electors, protested against the establishment of three electoral constituencies and claimed that one of the candidates, Louis Aujoulat, had been elected to the National Assembly as a result of propaganda conducted in his favour by officials.

The Administering Authority stated (T/1001 and T/C.2/SR.38) that the complaint of fraudulent elections was unfounded, that representatives of all political parties were present when the lists were drawn up and that the lists were publicly displayed and full opportunity was given for the correction of errors and omissions or for additional registration. As to the division of the Territory into three constituencies, the Administering Authority pointed out (T/1016) that this was quite proper since three seats in the French National Assembly were allotted to the indigenous electorate. It added that Mr. Aujoulat had received 28,309 out of 114,173 votes, the balance having been distributed among fourteen other candidates; therefore, even if there was any administrative pressure, the majority of electors were apparently not susceptible to it. The special representative of the Administering Authority further explained (T/C.2/SR.37) that the local Territorial Assembly had requested the continuance of the dual electoral system but that the Administering Authority nevertheless hoped to replace it by a single electoral college when the Territory had attained a sufficient degree of development and provided the experience of the single college instituted in Togoland under French administration was favourable.

By resolution 623 (XI), adopted on 22 July 1952 by 10 votes to 1, the Trusteeship Council noted the special representative's statement and recalled its earlier recommendation,¹⁰⁶ at its ninth session in 1951, that the dual system be replaced by a single electoral college.

¹⁰⁶ See Y.U.N., 1951, p. 722.

The establishment of a single electoral college in the Cameroons was also sought by the Ressor-tissants camerounais de Paris (T/Pet.5/104), which protested against the Act of 22 November 1951 establishing a single college for Togoland under French administration while providing for the continuance of the double college in the Cameroons for a further five years. The Administering Authority suggested (T/1016) that the Territory's parliamentary representatives and the members of its Territorial Assembly, which had desired the continuance of the double electoral college, were better qualified than the petitioners to speak for the higher interests of the Cameroons. Moreover, it pointed out, the Trusteeship Agreements did not provide that identical measures should be instituted in both Trust Territories.

In its report to the General Assembly, the Trusteeship Council commended the Administering Authority for the enactment in June 1951 of the law further extending the franchise and expressed satisfaction at the marked increase during 1951 in the number of registered voters. It expressed the hope, however, that additional measures would be examined with a view to attaining, as soon as practicable, universal suffrage and a single electoral college and that efforts would be made, through encouragement and instruction, to increase the proportion of voters among the existing electorate.

The Administering Authority in its annual report recalled that the decree of 29 October 1949 establishing the Representative Assembly of the Cameroons provided that the final form of the Assembly should be determined by later enactments. The first such law, it stated, was enacted by the French Parliament on 6 February 1952. This law transformed the former Representative Assembly into the Territorial Assembly and raised the number of councillors of French status from sixteen to 24 and those of local or personal status from eighteen to 32, thus altering the distribution of seats in favour of the African members. The law also provided that legislation enlarging the Assembly's powers should be introduced not later than July 1952. An extension of the Assembly's powers has been repeatedly recommended since 1949 by the Trusteeship Council.

The petitions from both the Ressor-tissants camerounais de Paris and the UPC referred to the Assembly. The former demanded that it be granted political powers and increased responsibilities in economic and social matters. The latter alleged that the indigenous members of the Assembly were not allowed to participate in

decisions and it sought the establishment of a Legislative and Constituent Assembly.

After recalling its previous recommendations on the subject, the Trusteeship Council noted with interest that legislation providing for an extension of the Assembly's powers was expected to be enacted soon by the French Parliament. It also noted with satisfaction that the total membership of the Territorial Assembly had been increased and that the proportion between African and European members had been altered in favour of the former. The Council expressed the hope that the Administering Authority would further increase the African membership and that the bill extending the powers of the Assembly would be enacted with the least possible delay.

Reporting on reforms at the regional level, where authority is exercised by traditional chiefs under the supervision of administrative officers and of chefs de regions and chefs de subdivisions, the Administering Authority stated that draft legislation to organize regional councils to replace the Councils of Notables had again been considered in April to May 1952 by the Territorial Assembly. The regional councils were to be given more extensive powers and a larger membership than the Councils of Notables, which assist the administrative officers in the consideration of regional, financial, economic and social matters. Discussion in the Assembly, the Administering Authority observed, showed that further study was needed before the proposed reform could be put into effect throughout the Territory. Draft legislation on the status of chiefs, the Administering Authority reported, had been sent to the French National Assembly after submission to the Assembly of the French Union. Finally, the Trusteeship Council was informed during its eleventh session that the Administering Authority was studying a plan which it considered an important step towards the decentralization and the administrative autonomy of the regions. The plan contemplated the organization of elected rural municipalities having autonomous budgets and the merger of this system with that of the regional councils.

At the municipal level, the annual report indicated that, in addition to seven existing mixed communes, one had been organized for the first time in the north, at Garoua. The extension of this experiment to other urban centres in the north was anticipated by the Administering Authority. Moreover, the Administration was considering the transformation of appointed municipalities into elected municipalities.

The Administering Authority stated that the reform of the regional councils, for several years

under consideration by the Territorial Assembly, was expected to be put into effect in 1952 and that the elected rural municipalities would be established during the same year. This statement was welcomed by the Trusteeship Council, which expressed the hope that the Administering Authority's efforts to develop regional councils would meet with early success.

According to the annual report, there were few changes in the structure of the administrative services during 1951. A new service, the *Control des regies financières*, was established, the *Service des Domaines* was enlarged and various administrative posts were created. The report showed that Europeans in the administrative staff increased from 1,375 in 1950 to 1,625 in 1951 and Africans from 7,568 to 8,509. Africans were admitted to several important posts during 1951, including one appointed as assistant to a chef de subdivision, one as a chef de région agricole and several as chefs de poste agricole. Experiments were carried out with a view to admitting Africans to positions previously held only by European officials. The increased proportion of European staff, the report explained, was due to the closer supervision required for the more rapid training of the African staff. Since the Europeans were usually engaged on contract or as auxiliaries, however, they could be replaced by Africans without difficulty. Methods used to fit Africans for important posts while giving them a general and professional education included evening classes at Yaounde, Douala and Nkongsamba, the opening of professional training courses for postal, telecommunication and mining officials, and the award of scholarships for advanced training in France. The Administering Authority reported that an order of 2 April restored the recruitment of regional agents and personnel for the technical services, conferring upon them a status practically equivalent to that of the regular civil service and facilitating their access to it. By the end of 1951, the staff of these services numbered 3,138 as against 2,342 the year before.

In one of its petitions (T/Pet.5/97), the UPC complained against the Bamiléké officials and the Administering Authority acknowledged (T/1001) that some officials were carrying on commercial or political activities through their relatives, but pointed out that, unless abuse or the exercise of undue influence could be proved, it was difficult to remove these officials from their area of origin.

Reporting on the judicial system, the Administering Authority stated that the Cameroons now had a completely autonomous judiciary, the guid-

ing principle of which was the complete separation of judicial and political powers. Judicial autonomy was ensured by the establishment of a Court of Appeal at Yaounde by a decree of 11 April 1951. According to the annual report, French courts, which apply French procedure and law and comprise judicial magistrates, try: (1) all penal cases; (2) civil and commercial cases in which a European is a party; and (3) civil and commercial cases between two Africans, provided both consent. In the latter cases, customary law and usage is applied unless the parties request otherwise. Indigenous courts have jurisdiction only in civil suits between Africans, and appeals from these courts are dealt with by a chamber of the Court of Appeal at Yaounde.

The Trusteeship Council noted with satisfaction that the separation of judicial and executive powers, as it had previously recommended, had been achieved and that the Territory now had judicial autonomy.

b. ECONOMIC DEVELOPMENT

According to the annual report, the Territory was undergoing a transition from an essentially agricultural and lightly-equipped economy to one which was completely transforming its traditional resources and methods. This was attributed largely to the continued implementation of the ten-year plan and the stimulation of government and private investment. Private investment in new industries opened between 1948 and 1950 or still being established was said to have exceeded investment in firms previously established. It totalled approximately 3,620 million francs,¹⁰⁷ including 605 million in agriculture, 1,550 million in forests, 1,465 million in industry and an additional 1,250 million reinvested. Of the total, 1,800 million francs consisted of advances from the Caisse Centrale de la France d'Outre Mer and from the Crédit du Cameroun. Programmes in progress under the ten-year plan comprised an initial group of operations extending from July 1947 to June 1952 and represented, allowing for the revaluation of December 1951, a total investment of public funds supplied by France amounting to about 16,400 million francs.

The Territory's increased prosperity was reflected in a considerable rise in the volume of imports, from 226,442 tons in 1950 to 413,137 tons in 1951, and in a regular rise in exports from 223,929 tons in 1950 to 307,902 (including about 78,000 in re-exports or goods in transit) in 1951, the highest export figure yet attained

¹⁰⁷ Throughout this section, francs = francs CFA (Colonies françaises d'Afrique).

by the Territory. Equipment material accounted for 59.5 per cent of the 1951 imports and there was also an increase in the percentage of imported foodstuffs.

In 1951, according to the annual report, exports of cocoa, the most important of the cash crops sold abroad, amounted to 47,000 tons, all produced by Native planters; the Agricultural Service continued its efforts to maintain and improve further the quality of the cocoa. Coffee growing continued to develop, 10,300 tons being exported; the area farmed by Africans increased and efforts were being made to mechanize and improve farming methods. Banana exports exceeded 55,000 tons, the African share of production continuing to increase steadily. Successful efforts having been made to interest African farmers in tobacco growing, cultivation continued to expand. Africans also harvested 26,650 tons of palm kernels. The station at Dschang continued the establishment of a plantation of selected trees to popularize cinchona production by Africans and similar efforts in crop selection and protection were being made by the various agricultural stations for cocoa, local millets, ground-nuts, etc. Agricultural centres and experimental stations already set up or being established in various areas were described as among the most important achievements in agriculture. Food production continued to meet requirements, the Administering Authority reported, although there was a slight decline, due, it was stated, to the attraction of valuable export crops. This trend was being checked, however, by the encouragement of high-output crops, such as cassava and fruit trees.

Owing to the need to improve the quality of livestock, numbering 600,000 head, a second stock-breeding and selection station was established at Kounden. The laboratories of the Agricultural Service were re-equipped under the ten-year plan and an artificial-insemination station, several immunization and treatment centres, and the installation of a pig farm (at Kounden) were completed or near completion. Grazing lands were being improved and the construction of wells and watering places in the north was continued. The organization of the Territory's meat supply by establishing a series of cold-storage depots between the stock-breeding areas of the north and the great centres of consumption in the south reached an advanced state; a number of cold-storage plants were installed during the year and air transport was being used on certain sections of the route.

The Territory's mining output, particularly gold and titanium ore, suffered a serious setback in

1951 due to a decline in selling price, the Administering Authority reported, but efforts were being made to increase production and to provide a stable mining industry. A drilling programme was started during 1951 in a search for petroleum deposits in the Douala area, by a company in which the Territory held 33 per cent of the shares, the Research Bureau 51 per cent and the Central Fund of Overseas France 16 per cent.

Industrialization progressed steadily, according to the annual report, but would not reach its height until the completion of the Edéa dam. Schemes under consideration included a plan for a paper mill with an annual output of 30,000 tons, an iron and steel factory for the production of sheet iron and steel sections, a general machinery factory, a can factory, and a cement casing works. An oil-processing plant, to be operated on the same lines as the Dibombari factory (in which 50 per cent of the shares are reserved for Africans) and likewise given to the Cameroons by the French Government, was nearing completion at Edéa. The newly established spinning and weaving mill at Douala expected to extend its operations when the problem of training indigenous labour had been solved. This problem, which could only be solved gradually, the Administering Authority stated, was raised in the Cameroons for the first time as a result of the establishment of specialized industries.

The Administering Authority observed that the road construction programme undertaken under the ten-year plan should provide, when completed, a system of roads and bridges which would meet the needs of the Territory's rapidly developing economy. Three main arteries, comprising 2,760 kilometres of main roads, were planned, as well as 1,730 kilometres of secondary roads to serve these main highways. Expenditure on the work already completed amounted at the end of 1951 to over 3,000 million francs. The renewal and modernization of railway lines and rolling stock, on which over 2,000 million francs had been disbursed, was almost finished and an important plan for the extension of the railway towards Lake Chad was to be resumed. Rail traffic figures rose to 538,000 tons in 1951, an increase of 29.3 per cent over the 1950 figures. The traffic handled by the port of Douala increased to 633,000 tons, and work on the expansion of the port to an annual capacity of one million tons progressed. A considerable increase during 1951 in air traffic, particularly freight, was also reported. Air transport was beginning to be used to transport building materials, meat and vegetables, among other things,

and plans for transporting the cotton crop from the Chad area to Douala by air were being considered. In view of this rapid development, an air equipment plan was introduced envisaging a total expenditure of 1,500 million francs, and improvements were already in progress. The postal and telecommunications systems were also improved and extended during 1951, the Administering Authority reported.

Co-operative methods appeared to the Administering Authority to be the most suitable for enabling the indigenous inhabitants to participate in the exploitation of the Territory at the existing stage of economic development. According to the annual report, there were 84 co-operatives in 1951, with a total known membership of about 40,800; 57 of them were agricultural production organizations and sixteen were consumer organizations. The provident societies, which were State co-operatives, had 791,971 members; by the end of 1951, they had received loans totalling 147 million francs. In 1951, the Administering Authority reported, the Central Supervisory Committee of the provident societies, which includes two members of the Territorial Assembly, asked that the most important branches should be given financial independence. The societies would become autonomous and direct administrative intervention would cease when they had achieved a sufficient degree of stability, the Administering Authority stated.

The Union des populations du Cameroun (UPC) claimed (T/Pet.5/97) that the provident societies operated only for the benefit of Europeans, but the Administering Authority maintained (T/1001) that their supervision by the Administration was designed to ensure that the general interest came before individual interests. It further pointed out that the provident society at Mungo had with its own resources set up a sawmill which was operated entirely for the benefit of its members.

According to the annual report, land is classified as (1) public or private domain of the Territory, (2) land held under the rules of local custom, and (3) land for which proceedings for the recognition of land rights were pending. In addition, land is granted by concession; concessions to non-indigenous inhabitants are subject to the prior approval of the Representative Assembly. As of 31 December 1951, the total area of land granted by concession, either provisionally or finally, amounted to 740 hectares in 2,501 urban concessions and 102,876 in 898 rural concessions. Indigenous inhabitants held 80 hectares of urban land and 2,726 hectares of rural land

under concession. Of the total, 979 hectares represented 44 rural concessions granted during 1951, 22 provisionally and 22 finally. The annual report indicated that indigenous inhabitants, because of their desire for affirmation of their rights to the land which they held by custom, had applied for recognition of their property rights over 411 hectares of urban land and 6,351 hectares of rural land. By the end of 1951, the Administering Authority stated, 1,224 land ownership certificates were issued and applications were being dealt with by a steadily expanding land register service.

In one of its petitions (T/Pet.5/108), the UPC alleged seizures of land by the Administration or under its auspices. This was denied by the Administering Authority, which pointed out that it had never owned the land in question. It added that individual ownership had spread gradually and that some of the old chiefs sought to check development for their own ends. However, application should have been made to the customary courts, which were competent to give rulings in these matters. Transfers of land to Europeans, the Administering Authority stated, were made only after the required discussions and, in any case, the land in question was in a former desert area and its development by Europeans had stimulated the economy of the area and helped to populate it.

Approximately 82,000 square kilometres of land in the Territory consisted of exploitable forests, the Administering Authority reported. It referred to the important role in the Territory's economy played by forestry produce, exports of which totalled 642 million francs in 1951; local consumption for building and heating was also increasing. Forestry studies and research, equipment of the Forestry Service, the scheduling of 500,000 hectares of forest land, the enrichment and re-timbering of extensive forest zones were carried out under the ten-year plan, according to the annual report. Although efforts made to educate the indigenous population in forest conservation and restoration proved generally satisfactory, particularly among the Bamiléké farmers, nevertheless the scheduling of certain zones was prevented by lack of understanding on the part of the indigenous populations holding customary rights in those zones and by a request by the Territorial Assembly that scheduling operations be suspended. The Administering Authority stated that the regulations in force made the fullest allowance for the interests of the indigenous population.

After examining the situation, the Trusteeship Council concluded that the economic development of the Territory was proceeding along sound lines. It noted in particular the expansion of trade, implementation of the ten-year plan, growing industrialization, increase of hydro-electric power, and the increase of investments both by the Administering Authority and by private individuals. The Council also noted with satisfaction that surface and air communication and transport facilities were being extended and improved. It considered the development of transport and communications vital to the Territory's progress and recommended that the Administering Authority extend still further the transport facilities and especially the network of secondary roads. While recognizing that the Administering Authority was faced with the delicate task of reconciling the economic interests of the relatively large number of Europeans in the Territory and those of the indigenous inhabitants, the Council expressed confidence that the economic interests of the latter would continue to be carefully guarded and that their rights to land and forest resources in particular would be fully protected. In connexion with the classification of forests, the Council expressed regret at the opposition shown by the indigenous population. Recalling its previous recommendations on the subject, the Council again expressed the hope that the Administering Authority would continue to maintain adequate forest cover and that it would succeed in overcoming the hesitations of the indigenous inhabitants in the matter.

c. SOCIAL DEVELOPMENT

According to the annual report, social problems were becoming increasingly acute due to the rapid development of the Territory, but the Administering Authority regarded the advances made through social services, particularly in improving living conditions and productivity, as encouraging. Expenditure on social services in the Territory's budget amounted to over 1,578 million francs, or 29.47 per cent of the budget, in 1951. The activities of the Social Service during 1951 included: the establishment in six areas of social, family and educational centres organized on the basis of the results of pilot projects at Douala; the operation of seven kindergartens, five of them at Douala, offering popular courses in domestic science, child care, hygiene and first aid; the organization of home visits and consultations; the maintenance of reception centres and small dispensaries; and numerous investigations, particularly into industrial accidents.

During 1951 preliminary surveys were undertaken to develop methods of investigating standards of living. The net national income, considered as the annual total of income paid to productive workers, was calculated at 31,067 million francs for 1950 and appeared to have increased 5 per cent, to 32,500 million francs, for 1951. While the cost of living was stated to have increased by 13.8 per cent between November 1950 and November 1951, the rise was compensated by other factors and the actual purchasing power of the indigenous inhabitants was said to have increased appreciably. Indices given for wages and retail prices for local products showed that the purchasing power had more than doubled from 1945 to 1950, and a growing demand among indigenous inhabitants for imported goods also reflected an increase in purchasing power.

The Trusteeship Council noted with satisfaction that the statistical services had been developed sufficiently to permit scientific and methodical inquiries into the standard of living of the different social categories of the indigenous inhabitants. It expressed interest in the figures provided in the annual report and indicated its confidence that the Administering Authority would supply more detailed information in its next report.

There were about 120,000 wage earners in the Territory, the Administering Authority reported, and the supply continued to be greater than the demand. It stated that the principle of equal pay for equal work was very rarely disputed and that the few breaches of labour regulations were usually settled by conciliation. Trade unions numbered 128 in 1951, with a membership of about 20,355, according to the report. A tendency for the trade unions movement to become independent from the Metropolitan union headquarters and to develop features of its own was observed. The Administering Authority noted an absence of educated trade-union leaders in the Territory and an unwillingness on the part of African workers to pay union dues, which were regarded as payments without immediate or concrete returns. The proposed labour code for the Territory, it indicated, would probably enter into force in 1952. Improving output and vocational training represented the chief labour problem in the Territory and a programme to develop technical education was being implemented.

Over-population of towns continued to make housing conditions difficult for both Africans and Europeans, the Administering Authority stated.

It reported that 129 houses were built for African officials in 1951, that a building society had been founded on the budget of the ten-year plan to help Africans buy suitable housing and that provident societies were directing their attention to building.

Noting the continued housing shortage in the principal towns and the measures taken to overcome the problem and to develop plans for improving housing throughout the Territory, the Trusteeship Council expressed the hope that the Administering Authority would vigorously pursue its programme for dealing with housing problems, many of which, the Council considered, required study and action. The Administering Authority was asked to provide full information on the matter in its next annual report.

In its report, the Administering Authority stated that French law did not allow discrimination on grounds of race, sex or religion and that the Government was doing everything in its power to ensure the strict application of this principle. The Union des populations du Cameroun (UPC) maintained (T/Pet.5/97), however, that there were still instances of discrimination against Africans in the Cameroons. In reply, the Administering Authority pointed out (T/1001) that, of three establishments referred to in the petition, one was a private club entitled to refuse admission to non-members, another an hotel admitting persons of all races provided they were correctly dressed, and the third a rest centre with insufficient accommodation to admit all applicants. Another complaint by the UPC, to the effect that human rights and freedom of speech were not respected in the Territory, was described by the Administering Authority as completely unfounded. The Trusteeship Council considered that in the circumstances no recommendation on its part was necessary.

Developments in the prison system, the Administering Authority reported, included the passing of an order setting up a prison camp at Edéa, close to the dam construction settlement; the construction company was to be responsible, under the supervision of a commission composed of administrative, judicial, medical and technical authorities and two councillors of the Territorial Assembly, for training the prisoners. Efforts to rehabilitate juvenile delinquents were being continued and the methods used should have been entirely overhauled by the beginning of 1952, the Administrative Authority observed. The Administering Authority also indicated that it intended to improve the penitentiary system in the Territory. This was noted with satisfaction

by the Trusteeship Council, which expressed the hope that the projected reforms would be carried out in the near future; the Council also asked that full information on the matter be provided in the next annual report.

In one of its petitions (T/Pet.5/97), the UPC claimed that European prisoners enjoyed privileged prison conditions not allowed to African prisoners; it objected especially to the continued employment of the latter as water carriers. The Administering Authority stated (T/1001) that the latest reports of the Control Commissions for the Dschang and Nkongsamba prisons refuted the allegations of the UPC; every prisoner was provided with a bed, blankets and clothing, individual mess-tins and spoons. As regards the water fatigue duties, the Administering Authority added, these were not unduly excessive and would be abolished when the water distribution system under construction was completed.

In its resolution on the petition (622(XI)), adopted on 22 July 1952 by 9 votes to 1, the Trusteeship Council expressed the hope that the Administering Authority would continue to improve prison conditions.

According to the annual report, it was hoped to speed up the emancipation of women by granting scholarships, training nurses, teachers, typists and students, and sending domestic science teachers and social workers to the villages. Nevertheless, the solution of the problem lay in a far-reaching change in traditional customs, which would necessitate a strong movement of public opinion. One of the most important questions raised by the emancipation of women was that of the dowry; it is generally considered that polygamy and the maintenance of the dowry paid to the wife's parents might well be responsible for the inferior position of African women. The Administering Authority indicated, however, that a decree of 14 September 1951 now governs monogamic marriage and gives girls who have reached majority the right to marry despite the opposition of their parents. The adoption of this decree was welcomed by the Trusteeship Council. While noting with satisfaction the improvement in the status of women, the Council expressed the hope that the Administering Authority would further its efforts to achieve a greater improvement.

Reporting on medical services, the Administering Authority stated that 652.5 million francs had been appropriated on the 1951 budget for medical services and that an additional 435.5 million francs had been allocated, under the

special budget of the ten-year plan, for building and the purchase of technical equipment and vehicles. The total medical personnel had risen by the end of 1951 to 3,216, including 150 Europeans. Of the total, 137 were doctors, 18 pharmacists, 6 dentists, and 62 midwives and nurses; this represented an increase over 1950 of 9 doctors, 2 dentists and 27 nurses, and further increases were expected for 1952, the Administering Authority indicated. During 1951, according to the annual report, African hospital patients numbered 2,123,905; 1,128,742 were in sleeping sickness and leprosy centres. The figures for consultations rose to 5,136,447 for 1,594,465 African patients; in addition, mobile health and prophylaxis teams checked 380,578 inhabitants of whom 298,222 were examined, treated or vaccinated. The health service continued its efforts in the field of maternal and child welfare, but, the annual report stated, these efforts often still met with unwillingness or passivity on the part of the population. Maternal and child health centres at Douala and Yaounde were reorganized in 1951 and eight clinics were built in Douala. Soap, salt, meat, milk, baby clothes, blankets, etc., were distributed through special funds, amounting in 1951 to seven million francs. In the Territory as a whole, 70,808 children were examined during the year and 213,242 consultations were given.

The Trusteeship Council noted with satisfaction the increases in expenditure for health purposes and further noted that the Administering Authority had co-operated in the field of public health with the World Health Organization. Reiterating its previous recommendations on the subject, the Council recommended that the Administering Authority continue to ensure the widest possible provision of medical facilities in the Territory and, to this end, further intensify its efforts to train African medical personnel.

d. EDUCATIONAL DEVELOPMENT

According to the Administering Authority's annual report, the urgency of certain aspects of the educational situation called for early efforts in three specific directions: (1) more instruction in the early years of secondary education so as to give the country quickly the educated personnel needed; (2) a more rapid rate of expansion of education for girls; and (3) the adoption, by a decision taken in July 1951, of a programme aimed at doubling within five years the present number of persons with schooling. The achievement of this aim, the Administering

Authority stated, had become a major concern of its educational policy.

The Administering Authority reported that 480 million francs was appropriated in the local 1951 budget for education, as compared with 332 million in 1950. The execution of the ten-year plan had been delayed, however, and, of a total of 2,500 million francs assigned for the first four years, only 372.9 million francs had been allocated by the end of 1951. Pointing out that the situation had improved considerably, the Administering Authority stated that the planned programme of school construction could be carried out without further delay.

Increases, from 128,914 in 1950 to 140,582 in 1951, were reported in the number of children attending public and private primary schools; of the totals, about 20,000 in 1950 and 24,000 in 1951 were girls. The number of schools increased from 181 in 1950 to 203 in 1951 and the number of primary school teachers from 2,736 (including 142 women and 249 Europeans) to 3,306, of whom 163 were women and 176 were Europeans. Assistance from the local budget, the Administering Authority noted, had enabled missions to improve many of the small schools which had previously given only religious instruction in local languages.

The report indicated that 1,204 pupils attended the six public secondary schools in 1951 and 365 attended four of the private secondary schools; attendance figures for five secondary schools connected with Catholic missions were not available. A total of 58 candidates passed examinations for the baccalauréat during 1951, 43 for the first part and fifteen the second. The Administering Authority reported that a programme to expand the buildings of the Lycée Leclerc at Douala, one of the two secondary schools in the Territory offering a course identical with that given in France, had been drawn up and was expected to be completed within three years and that this expansion would enable the training of a large number of teachers holding adequate certificates. Other developments included the organizing of three supplementary courses to be started in 1952 at Fouban, Dschang and Ebolowa.

Apart from the technical and vocational education offered at secondary schools, a public apprenticeship centre was opened in October 1951 at Nkongsamba, and three others were scheduled to be opened elsewhere during 1952. Three pre-apprenticeship sections, with 107 students, were in operation during 1951 and three more were being established. Private vocational training was

given at two established schools and during the year three apprenticeship centres were set up at Douala, Neiganga and Maroua; in addition, an African businessman at Douala was providing a three-year training course for building-workers. The teaching staff of secondary and technical training establishments numbered 126, including 38 women.

The Administering Authority considered the establishment of higher educational facilities in the Territory impracticable as there were still too few Cameroonians with secondary education. However, all Cameroonians holding the baccalauréat were being sent to France for higher studies. In December 1951, according to the annual report, the Territory had 260 scholarship-holders in France, 102 in secondary education, 80 in technical education, 57 in higher education; 21 scholarships were held by young civil servants of exceptional ability who went to France as internes in administrative branches of government or in technical institutions.

According to the annual report, 122,864 persons in the Territory under 21 years of age were able to read and write. The programme of fundamental education started in 1950 had been expanded, the Administering Authority stated, and included a campaign against illiteracy through courses for adults, attended in 1951 by 10,000 persons, and the dissemination of ideas of elementary hygiene by means of the cinema. Post-school activity was being pursued through study groups organized around the libraries and through correspondence and evening courses. The latter, offering finishing courses to civil servants, were well attended, the Administering Authority indicated; the courses at Yaounde included nearly 250 registered students in 1951.

The Trusteeship Council noted with satisfaction that further progress had been made in the field of education and, in particular, the increase in the budgetary appropriation for education and the continued efforts to increase the number and improve the quality of the teaching staff. Nevertheless, it considered that efforts should be intensified. It recommended that the Administering Authority further the educational advancement of the Territory, more particularly by extending education to women and by expanding technical education, the teacher-training programme and by promoting vocational and adult education. The Council also recommended that the Administering Authority make a preliminary study of the question of establishing higher educational facilities within the Cameroons as soon

as practicable and that it report fully on the matter in its next annual report.

3. Questions Relating to Both Cameroons

Questions concerning the division of the Cameroons under two separate administrations were again considered in July 1952 by the Trusteeship Council in connexion with its examination, at its eleventh session, held from 3 June to 22 July, of petitions from: the Kamerun United National Congress (T/Pet.4/79-5/-105 and Add.1, and T/Pet.4/83); the Union des populations du Cameroun (T/Pet.5/97 and 99); the French Cameroons Welfare Union (T/Pet. 4/71 and Add.1-5 and T/Pet.4/72); and Joseph Ngu, President of the Kumba Branch of the latter Union (T/Pet.4/70 and Add.1). Such questions were later brought up in the General Assembly, in December, when the Assembly heard representatives of petitioners from the Cameroons under French administration.

a. CONSIDERATION BY THE TRUSTEESHIP COUNCIL

The Kamerun United National Congress, founded in August 1951, stated that its main objective was the early unification of the two Cameroons. As a necessary preliminary to unification, which it recognized could not be achieved immediately, the Congress sought:

(1) the removal of all existing obstacles to the free movement of persons and goods across the frontier and the creation of a customs union between the two Cameroons; (2) revision of the Trusteeship Agreements to provide safeguards to preserve the distinct political status of the Cameroons as a whole, especially as regards existing administrative arrangements between part of the Cameroons and Nigeria on the one hand and the French Union on the other;¹⁰⁸ (3) establishment of free liaison between the indigenous inhabitants of the two Cameroons, with freedom of speech, of the Press, of assembly, of petition and of movement; (4) creation of a separate House of Assembly for the Cameroons under United Kingdom administration and appointment of a High Commissioner directly responsible to the Trusteeship Council through the Governor of Nigeria; creation of a separate House of Representatives in the Cameroons under French administration independent of the French National Assembly; both Houses to have an African majority and most Ministries to be headed by Africans; (5) compulsory instruction in French and English in both Cameroons; and (6) indigenous representation at meetings of the Trusteeship Council.

¹⁰⁸For examination of these arrangements during 1952, see under Administrative Unions.

The petitioners considered that neither of the Administering Authorities had lived up to its obligation to promote the most rapid possible development of the Cameroons and expressed dissatisfaction with the conclusions of the first United Nations Visiting Mission to the Territories, which, they felt, had been reluctant to criticize the Administering Authorities and particularly to recognize the wishes of the people for unification. While acknowledging that fundamental human rights and freedoms were fully enjoyed in the Cameroons under United Kingdom administration, the Kamerun United National Congress stated that it was reliably informed that Africans in the French-administered Territory, especially those exhibiting nationalist tendencies, were denied these rights and freedoms. The Congress requested the Trusteeship Council's assistance to obtain a "safe conduct" to enable 30 of its members to attend a conference in the Cameroons under French administration.

In their observations on these petitions, both France (T/1009 and T/C.2/SR.39) and the United Kingdom (T/1018 and T/C.2/SR.39) maintained that few of the indigenous inhabitants of either Territory showed enthusiasm for unification and added that the constitutional changes suggested by the Kamerun United National Congress would prejudice the future political development of the Territories after the termination of Trusteeship. As to the administrative integration of the Cameroons under its administration with Nigeria, the United Kingdom pointed out that the identity of the Trust Territory was preserved by the Trusteeship Agreement and the supervisory machinery provided by the Trusteeship Council; it also referred to the advantages derived by the Cameroons from this integration. Both Administering Authorities maintained that much progress had been made in the Cameroons under their respective administration. Neither considered the compulsory teaching of both English and French practicable since children would then be required to study three languages; English, it was reported, was taught as a subject in the secondary schools of the Cameroons under French administration and French was similarly taught in the other Trust Territory. Frontier regulations had already been liberalized, the Administering Authorities stated, and additional measures were under consideration to facilitate further petty and barter trade across the frontier by increasing the quantity of goods which could be transported without formalities and by liberalizing exchange controls. Movement of persons across the frontier, it was stated, was as free as possible; those entering

the Cameroons under United Kingdom administration required a travel document while inhabitants of that Territory had to present an identity card to cross into the French-administered Territory.

The Union des populations du Cameroun (UPC) also called for the unification of the two Cameroons. It maintained that the existence of two official languages, different educational systems and legislation could only hinder the ultimate establishment of a single Cameroonian nation. Restrictions were still imposed on trade between the two Territories, the UPC maintained, despite earlier recommendations of the Trusteeship Council. It added, however, that the mere relaxation of frontier barriers would not satisfy public opinion, and alleged that human rights were not respected in the French-administered Cameroons and that many people were migrating to the British zone. The UPC stated that the people of the Cameroons unanimously demanded revision of the Trusteeship Agreements, unification of the Cameroons and the establishment of an autonomous government with a legislative and constituent assembly.

In reply, France, as the Administering Authority concerned, observed (T/1001, T/1016, T/C.2/SR.37 and 38) that no referendum had ever been taken in the Cameroons under French administration and that the UPC could not claim to represent the unanimous will of the people since it represented only an extremely small minority of the indigenous electorate. In the Administering Authority's opinion, the failure of the petitioners to propose a Cameroonian dialect as the single official language for both Cameroons constituted adequate proof that there was no real cultural link between the two Trust Territories. The Administering Authority described as fantastic the allegation that human rights were not respected in the French-administered Cameroons. It also denied that masses of Cameroonians were leaving the Trust Territory to settle in the Cameroons under United Kingdom administration, and stated that nearly all the Bamilékés who had emigrated some years ago had since returned to their country of origin.

On 22 July 1952 the Trusteeship Council, by 10 votes to 1, adopted a resolution (621 (XI)) on the petitions from the Kamerun United National Congress. By this resolution, the Council called the attention of the petitioners to various observations of the Administering Authorities and to the Council's conclusions and recommendations, adopted during its eleventh session, concerning the administrative arrangements between the

Cameroons on the one hand and Nigeria and the French Union on the other,¹⁰⁹ and concerning the participation of the indigenous inhabitants in the work of the Council.¹¹⁰ General conditions in the Cameroons, the Council informed the petitioners, were examined each year in connexion with the examination of annual reports on these Territories. As regards the unification of the two Trust Territories, the ultimate objective of the petitioners, the Council observed that the basic objective of the Trusteeship System was to promote the progressive development of the Trust Territories towards self-government or independence as might be appropriate to their particular circumstances and the freely expressed wishes of the peoples concerned. The Council expressed the hope that the measures being taken by the Administering Authorities would eliminate the frontier difficulties referred to by the petitioners. By resolutions 622(XI) and 623 (XI), adopted on the same date by 9 votes to 1 and 10 votes to 1, respectively, the Council called the attention of the UPC to its resolution on the petitions from the Kamerun United National Congress.

The question of the status in the Cameroons under British administration of immigrants from the French-administered Trust Territory was again considered in 1952 by the Trusteeship Council, for the third consecutive year. At its ninth session in 1951, after examining petitions from the French Cameroons Welfare Union (T/Pet.4/71 and Add.1) and Joseph Ngu, the President of the Kumba Branch of the Union (T/Pet.4/70), claiming that such immigrants were denied the right to vote and were otherwise discriminated against, the Trusteeship Council, by resolution 383 (IX), had asked the Administering Authority to supply further information on the situation and had decided that it would re-examine the petitions when this information was available.¹¹¹

Accordingly, in its annual report for 1951, the United Kingdom informed the Council that an estimated 400 to 500 persons from the French-administered Cameroons annually entered the Dikwa Division in the northern part of the Cameroons under United Kingdom administration, about 65 per cent of them settling permanently; there was little immigration into the Adamawa region, other than a seasonal influx of casual workers. Immigrants living in the southern portion of the Territory, the United Kingdom reported, numbered about 17,000, or 3.6 per cent of the population in that region. The Administering Authority again outlined the

qualifications required for naturalization, which would automatically bring with it the right to vote.

At its eleventh session, the Trusteeship Council re-examined the above petitions, as well as further communications from the French Cameroons Welfare Union (T/Pet.4/71/Add.2-5 and T/Pet.4/72) and Mr. Ngu (T/Pet.4/70/Add.1). The Union expressed its disappointment at the resolution adopted by the Council at its ninth session, stating that it seemed to reflect either a cursory or inadequate appreciation of the arguments presented by the Union. Pointing out that the Union was fully conversant with the procedure for acquiring United Kingdom citizenship, the petitioners explained that they wished neither British nor French nationality but wanted the status of Cameroons nationality to be recognized and looked forward to the time when the two Cameroons would achieve self-government.

They contended, on the basis of a statement by the representative of the Cameroons under United Kingdom administration to a general conference held to discuss the future system of government for Nigeria, that the people of that portion of the Cameroons shared their view that the Trust Territory had a political status distinct from that of Nigeria and had misgivings that the existing political trend might lead to complete integration of the Trust Territory with Nigeria. The petitioners contended that the people of both Cameroons desired unification of the two Trust Territories and claimed that a referendum would show the importance of unification to the frontier tribes. The stand taken by the Union was supported by Mr. Ngu.

The representatives of the United Kingdom explained (T/G2/SR.38) that careful consideration was being given to the possibility of adjusting the electoral law to give immigrants from the Cameroons under French administration the right to vote, but it was very doubtful whether the legal obstacles could be overcome. However, qualified immigrants who wished to apply would have ample time to obtain naturalization before the next elections, to be held in 1956. It was reiterated, on behalf of the Administering Authority, that, except for their disqualification from voting, immigrants from the French-administered Cameroons enjoyed full freedom of movement and did not suffer from any discrimination with respect to appointments to the public service and the granting of scholarships.

¹⁰⁹ See under Administrative Unions.

¹¹⁰ See under that heading.

¹¹¹ See Y.U.N., 1951, pp. 713-14.

On 22 July 1952, by 10 votes to none, with 1 abstention, the Trusteeship Council adopted a resolution (615(XI)) informing the petitioners that a United Nations Visiting Mission would visit the Cameroons under United Kingdom administration during November 1952¹¹² and decided that for the present no recommendation on its part was necessary.

b. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The General Assembly, at its seventh session, received five requests from organizations and parties in the Trust Territory of the Cameroons under French Administration that their representatives be permitted to make oral presentations before the Fourth Committee. The Committee decided to grant the requests as follows:

At its 252nd meeting on 22 October 1952, the Committee, by a roll-call vote of 37 to 10, with 5 abstentions, granted the request of the Union des populations du Cameroun (A/C.4/205).

At its 265th meeting on 6 November, the Committee acceded to three further requests: (1) that of the *Assemblée traditionnelle du peuple Douala* (A/C.4/214), by 40 votes to 5, with 8 abstentions; (2) that of the *Groupelements Musulmans du Cameroun* (A/C.4/216), by 40 votes to 5, with 6 abstentions; (3) that of the *Parti socialiste camerounais* (A/C.4/215), by 40 votes to 5, with 8 abstentions.

At its 279th meeting on 19 November, the Committee decided, without objection, to grant the request of the *Bloc démocratique camerounais* (A/C.4/219).

Subsequently, the *Assemblée traditionnelle du peuple Douala* and the *Bloc démocratique camerounais* intimated that they would be unable to send representatives to appear before the Committee.

At the 309th meeting on 17 December, the Committee, accordingly, heard the statements by Reuben Um Nyobe, representing the Union des populations du Cameroun, and by Charles René Okala, representing the *Parti socialiste camerounais*. At the 310th and 311th meetings of the Committee, on 17 and 18 December, these representatives replied to questions of the members of the Committee.

Mr. Um Nyobe sought:

(1) immediate unification of the two Trust Territories of Cameroons now under British and French administration, with the establishment of an executive council having a majority of Cameroon members and legislative assembly chosen by universal suffrage;

(2) amendment of the Trusteeship Agreements under which the two Territories are currently administered, leaving the people of the Cameroons free to determine their political future;

(3) the establishment of a time limit for the granting of independence.

Senator Okala sought:

(1) wider powers for the Territorial Assembly;

(2) establishment of an executive council;

(3) preservation of indigenous customs and definition of the powers of the chiefs;

(4) controlled and selective immigration;

(5) participation of indigenous inhabitants in the negotiation of commercial agreements;

(6) reduction and decentralization of the powers of the Department of Overseas France, following the institution of the above reforms;

(7) progress towards independence as a goal, with Trusteeship under France as a means.

The representative of France said that the Cameroons under French administration had made gigantic strides between 1945 and 1952, and although it was not pretended that all was perfect in the 425,000-square-kilometre Trust Territory with its three million inhabitants, he was confident that a great future awaited that country. In deciding its own destiny, the Territory would have the last word. Meanwhile, its future would be better assured as a part of the French Union than in a solitary state with an illusory independence.

At the 310th meeting on 17 December, Argentina, Canada, China, Denmark, El Salvador and Thailand introduced a draft resolution (A/C.4/L.265), a revised text (A/C.4/L.265/Rev.1) of which was submitted at the 312th meeting on 18 December. In terms of this draft, the General Assembly would: (1) take note of the statements of the representatives of organizations in the Cameroons under French administration; and (2) decide to transmit these statements, together with the observations made by members of the Fourth Committee, to the Trusteeship Council with a request that these questions should be investigated and reported upon in the next report of the Council to the Assembly. The sponsors incorporated oral drafting amendments proposed by the representatives of the Dominican Republic and Guatemala.

Presenting the six-Power draft, the representative of El Salvador said that the sponsors felt that their proposal would help in achieving a solution to the problem. He said that concrete decisions should be reached; that the Committee had little time left; and that the Visiting Mission

¹¹² See p. 666.

to West Africa would deal extensively with the matters being considered by the Fourth Committee when the Mission reported to the following session of the Trusteeship Council. Although many members of the Committee desired immediate results, it would be worth while waiting for results which would be effective.

At the 312th meeting on 18 December, three amendments to the revised joint draft resolution were put forward.

The first, by Syria (A/C.4/L.267), contained a series of five drafting amendments, one of which was subsequently withdrawn by the sponsor, who told the Committee that the purpose of these amendments was to avoid the impression created by the six-Power draft that the Fourth Committee had been wasting its time in hearing the petitioners and also to draw attention to the fact that, on some of the matters raised by the petitioners, the United Nations had already made recommendations. The four Syrian drafting changes were adopted in separate votes, ranging from 25 votes to 3, with 16 abstentions, to 42 votes to none, with 2 abstentions.

The second amendment to the revised joint draft resolution, presented by Poland (A/C.4/L.268), would: (1) add a recommendation that the Administering Authority take measures to put an end to anti-democratic practices in the Trust Territory and take measures also to create organs of government on democratic principles in the Territory; and (2) request the Trusteeship Council to submit a special report on its investigation of the question, instead of including such a report in its next annual report.

The representative of Poland, supported by the representative of the USSR, stated that it was clear that France, as Administering Authority for the Trust Territory, was violating the obligations of the United Nations Charter as well as the Trusteeship Agreement and resolutions of the General Assembly. These representatives charged racial discrimination and the denial to the indigenous inhabitants of their elementary rights. The first part of the Polish amendment was rejected by the Committee in a roll-call vote of 23 to 5, with 17 abstentions. The second part was adopted by a roll-call vote of 25 to 15, with 5 abstentions.

The third amendment to the revised six-Power draft, sponsored jointly by Indonesia and Iraq (A/C.4/L.269), would add a stipulation that reference of the matter to the Council was without prejudice to future requests for oral hearings before the Fourth Committee. This amend-

ment was adopted by the Committee by 25 votes to none, with 17 abstentions.

The resolution as a whole, as amended, was adopted by the Committee (A/2342) at its 312th meeting on 18 December, by 37 votes to none, with 6 abstentions and came before the General Assembly at its 410th plenary meeting on 21 December.

Although the Assembly decided to vote on the question without discussion, the representative of France, in explaining his vote, stated that his delegation was reserving the detailed information which it could furnish concerning the petitioners' allegations for submission to the Trusteeship Council, as that body alone was competent to deal with such problems. He added that the allegations of the petitioners did not justify a special report by the Trusteeship Council and maintained that the petitioners had come before the Fourth Committee to air their pre-election disputes and to prepare the ground for future elections.

The Assembly decided to vote separately on the word "special", referring to the manner in which the Trusteeship Council would be requested to report on its investigation of the question. Twenty-eight votes were cast in favour of its adoption, 17 against, and 15 abstentions. The President ruled that as a two-thirds majority, required under the rules of procedure, had not been obtained, the word was not adopted. The Assembly adopted the resolution as a whole, as thus amended, by 48 votes to 1, with 6 abstentions as resolution 655 (VII). It read:

"The General Assembly,

"Having granted oral hearings to representatives of organizations in the Cameroons under French administration,

"Considering that the Trusteeship Council has not yet examined the reports of the Administering Authorities on the Trust Territories of the Cameroons under British and French administration for 1952, and also has not yet received the reports of the Visiting Mission to Trust Territories in West Africa, 1952, and that these reports may give a fuller account of the matter,

"Considering that on several of the more important matters raised by the petitioners the Trusteeship Council, and in some cases the General Assembly, has previously made observations and recommendations in the light of the considered views of the Administering Authority,

"1. Takes note of the statements of the representatives of organizations in the Cameroons under French administration, which constitute a valuable contribution to an understanding of the problems in the Trust Territory;

"2. Decides, without prejudice to future requests for oral hearings before the Fourth Committee, to transmit these statements, together with the observations made

by members of the Fourth Committee, to the Trusteeship Council with a request that these questions be further investigated, in particular as to the implementation of recommendations already made on them, and that the Council report upon them in a report to the General Assembly at its eighth session."

4. Togoland, Administered by the United Kingdom

This Territory has a total area of 13,040 square miles and an African population enumerated at 383,563 in 1948, when the most recent census was taken.

a. POLITICAL DEVELOPMENT

Togoland continued to be administered as an integral part of the Gold Coast, sharing a common constitution, budget, and administrative and technical services.¹¹³ In its annual report for 1951,¹¹⁴ the Administering Authority assured the Trusteeship Council that Togoland's interests had continued to receive full recognition in policies and programmes developed by the Gold Coast Government and that the Trust Territory would continue to participate in all phases of Gold Coast progress. In performing its supervisory functions, the Council in the past expressed concern at the difficulty it faced, due to the lack of separate data on Togoland, in examining conditions in the Trust Territory. During its eleventh session, it noted that the Administering Authority had made still further efforts to provide in its 1951 report special data concerning the Trust Territory. At the same time, the Council expressed the hope that in future annual reports the separate statistical data on Togoland would be further elaborated and that data applying to the Trust Territory and the Gold Coast would be clearly identified in order to avoid any possibility of misunderstanding.

At its ninth session in 1951, the Council was informed of the introduction of the new Gold Coast Constitution, promulgated on 29 December 1950, and of the establishment, under this Constitution, of executive and legislative organs which formulate government policy and enact legislation for Togoland as if it were part of the Gold Coast. Ultimate executive and legislative powers, however, were reserved by the Administering Authority. The administrative organization of the Trust Territory remained fundamentally unchanged under the new Constitution. The Northern Section of Togoland, where the frontier cuts across both tribal and administrative boundaries, continued to be integrated with the

Northern Territories Gold Coast Protectorate, being subdivided to form parts of three districts lying in both territories. The Southern Section of Togoland continued throughout 1951 to be administered as a separate district of the Gold Coast Colony.

As constituted in 1951, the Gold Coast Executive Council is composed of eight African Ministers chosen by the Governor of the Gold Coast from the members of the new Legislative Assembly with its approval, and three ex officio Ministers—the senior colonial service officers responsible for the portfolios of defence and external affairs (which includes political administration), finance and justice. The Administering Authority indicated that while the powers of the Executive Council were limited by law, the Governor was required to act in most matters on its advice, thus enabling the Council to exercise real control over government policy.

The Legislative Assembly consists of a Speaker and 84 members, 75 of whom are elected by varying forms of suffrage. The Constitution requires that three of the elective members represent the Southern Section of Togoland: two of them being elected as "rural members" by electoral colleges which are in turn elected by universal adult suffrage; and one being elected by the Southern Togoland Council, an interim advisory council based on the Native Authorities. Legislative representatives for the whole of the Northern Territories of the Gold Coast, including Northern Togoland, however, are chosen by a single electoral college consisting of the members of the Northern Territorial Council and one delegate per 10,000 of the population nominated by existing district councils, which, in turn, are based on tribal authorities. In the 1951 elections, in addition to the three Togolanders elected from the Southern Section, two of the members elected from the Northern Territories Protectorate were Togolanders by birth and a third normally lived in Northern Togoland. The Administering Author-

¹¹³ For the results of the special study made during 1952 concerning the effects of this integration on the Trust Territory, see under Administrative Unions.

Report by Her Majesty's, Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Togoland under United Kingdom Trusteeship for the Year 1951 (H.M.S.O., London, 1952, Colonial No. 284). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council. Official Records. Eleventh Session (3 June to 24 July 1952); summaries of the observations of individual Council members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

ity reported that the Convention People's Party, whose declared objective was to bring the Gold Coast as soon as possible to the status of a dominion within the British Commonwealth of Nations, had won 34 of the 38 rural seats in the Assembly, including one of the two filled by the Southern Section of Togoland. The Party's leader, Dr. Kwame Nkrumah, became Leader of Government Business (a title changed to that of Prime Minister by constitutional amendment during 1952). Following the Party's electoral success, Dr. Nkrumah's advice was sought in the choice of members of the new Executive Council and he and five other members of the Party became Ministers in that Council.

A petition relating to the new constitutional developments, from the Togoland Congress (T/Pet.6/314), was examined by the Trusteeship Council during its eleventh session. The Congress has in the past objected to the integration of Togoland under United Kingdom administration with the Gold Coast because it felt this would prejudice the unification and independence of the two Togoland Trust Territories.¹¹⁵ Pointing out in its petition that the United Kingdom Government had approved the title of Prime Minister for the Leader of the Gold Coast Government, the Congress stated that that Territory had virtually attained dominion status. It claimed that the Minister of Defence and External Affairs had made an official statement on the policy and intentions of the Gold Coast Government, in which he declared that the annexation or integration of British Togoland in the Gold Coast was against the national interest and expressed wishes of the Trust Territory's inhabitants.

Commenting on the petition, the special representative of the Administering Authority (T/C.2/SR.33) denied that the Gold Coast had virtually attained dominion status. As to the statement of the Minister of Defence and External Affairs, it did not necessarily represent the official view of the Administering Authority and in any event it had simply drawn the attention of Togoland to the benefits to be derived from the continued association of their Territory with the Gold Coast and had expressed the hope that they would eventually wish to unite with the new nation being formed there.

By resolution 629 (XI), adopted on 18 July 1952 by 10 votes to 1, the Trusteeship Council called the attention of the Togoland Congress to the observations of the Administering Authority and to the Council's recommendation concerning

the administrative arrangements between the Trust Territory and the Gold Coast.¹¹⁶

According to the Administering Authority's annual report, important changes in both the regional organization and in the system of local government were set in motion during 1951. The Administering Authority stated that it had been decided to establish the proposed Trans-Volta/Togoland Region, combining Southern Togoland with the Ewe-inhabited areas of Anlo, Peki and Tongu confederacy lying in the eastern part of the Gold Coast Colony. Commenting on a recommendation made by the Trusteeship Council in 1951 to the effect that consideration be given to establishing a region consisting of Southern Togoland alone, the Administering Authority observed in its annual report that Southern Togoland was too small to form a region by itself. It added that the decision on the regional organization had been reached in order to satisfy the demands of the Ewes for closer association and especially to permit better supervision of the proposed new district and local councils (see below). The decision, it stated, had been made after consultation with the Southern Togoland Council and the Ewe Native Authorities in the Gold Coast districts concerned. A council of representatives elected by local and district councils was to be established for the Trans-Volta/Togoland Region. This council, with headquarters at Ho in the Trust Territory, would take over the advisory functions exercised by the Southern Togoland Council with respect to Southern Togoland. Another body, consisting mainly of representatives of traditional office-holders of either Southern Togoland alone or of the whole new region, depending on a decision still to be made, the Administering Authority reported, would be set up to take over the elective function of the Southern Togoland Council. The Trusteeship Council was subsequently informed, during its eleventh session, that a regional officer responsible directly to the Governor and the central Government in Accra, Gold Coast, had been posted to Ho on 1 June 1952 to set up the headquarters of the new region.

Northern Togoland, the Administering Authority reported, would remain part of the Northern Territories region, and the existing Northern Territories Council—which includes representatives of the districts in which the various parts of Northern Togoland lie—would be reconstituted to the extent only that its members would

¹¹⁵ See Y.U.N., 1951, p. 754 ff.; see also below, under Ewe and Togoland, Unification Problem, pp. 709-26.

¹¹⁶ See pp. 736-37.

be elected in future by the new district councils to be established rather than by existing Native Authorities. In connexion with the unification problem, the Administering Authority stated in its 1951 report that the people of Northern Togoland were demanding more firmly than ever that their area should be completely integrated into the Northern Territories of the Gold Coast.

Describing local government reforms, the Administering Authority stated that an Ordinance passed in 1951 by the Gold Coast Legislative Assembly provided for the establishment of modern and democratic local bodies throughout the Gold Coast and the Trust Territory. Local councils, being set up for areas corresponding in general to existing Native Authority areas, were to comprise members directly elected by all adult residents and members representative of the traditional authorities; the councils would normally contain a two-thirds majority of the former members. They would take over all the powers of the existing Native Authorities, and might be given a wide range of additional powers extending over the fields of public order, agriculture, forestry, regulation of trade and industry, operation and regulation of markets, land conservation, building and town planning, education and public health. Each council would finance its operations from an obligatory local basic rate or tax, from other rates or fees, from government grants, and from loans. These local councils (and similar urban councils to be set up only in the Gold Coast for the time being) would elect members to district councils having authority over wider areas. The district councils would have the same ratio of traditional to representative members, and would derive revenues by precept on the local councils, from government grants and by loan. The traditional "State Councils" (assemblies of chiefs, elders and others) would be entirely separated from the new local authorities and, under further legislation, would be empowered to discharge ceremonial and customary functions. In general, the Administering Authority stated, a notable feature of the reforms was the almost complete elimination of differences between the systems proposed originally for the northern and southern areas.

In order to train local government officials, a special school, offering twelve-week courses to 26 students, including two Togolanders, was opened in the Gold Coast. The Administering Authority stated that ten of the best students in each year would be offered scholarships in the United Kingdom on attachment to local authorities.

The Trusteeship Council was later informed, during its eleventh session, that the Administering Authority had undertaken consultations with the peoples concerned before establishing the new councils. In Northern Togoland the process had been completed by 1 July 1952 and this area would participate in four district councils, three of which extend into the Northern Territories of the Gold Coast, and in seventeen local councils, nearly all lying entirely within the Trust Territory. In Southern Togoland, the special representative of the Administering Authority stated, the discussions with the peoples concerned led to delay in finalizing the proposals and also to an increase in the expected number of local councils. There were to be fifteen of these, nine of which were expected to be in operation by August 1952 and the remainder before the end of the year. Two district councils would be established for the southern area.

In a petition (T/Pet.6/315) examined during the Trusteeship Council's eleventh session, the Head Chief of the Nawuris complained that the Administering Authority was using every means to absorb the Kpandai area into the Northern Territories Protectorate. He stated that over one thousand persons had been legally barred from taking part in the local council elections in the area and that over 5,000 indigenous inhabitants demanded immediate redress. It was explained by the special representative of the Administering Authority (T/C.2/SR.33) that the Nanjuro and Nawuri tribesmen had failed to register for the elections to the Kpandai local council until after the prescribed time limit, but that it had been decided to hold new elections in the two electoral wards predominantly inhabited by the two tribes. The petitioner, the Administering Authority added, represented at most some 500 Nawuris.

By resolution 630(XI), adopted on 18 July 1952 by 10 votes to 1, the Trusteeship Council noted the Administering Authority's decision with satisfaction and expressed the hope that the indigenous inhabitants concerned would cooperate with the Administering Authority by participating in the new election.

The Togoland Congress demanded (T/Pet.6/314) that immediate action be taken to implement the General Assembly's decision of January 1952 relating to the Ewe and Togoland unification problem.¹¹⁷ The chairman of the Congress stated (T/Pet.6/316) that the Congress

¹¹⁷ See Y.U.N., 1951, pp. 765 & 768, and below under Ewe and Togoland Unification Problem.

and statutory bodies in Southern Togoland had submitted a resolution suspending registration for local government elections in the Trust Territory until such time as the Joint Council for Togoland Affairs referred to in the Assembly's resolution had been established. Tension was rising in the Trust Territory, the Congress stated (T/Pet.6/314), and its chairman observed (T/Pet.6/316) that the people were mobilized for any emergency.

In reply, the special representative of the Administering Authority pointed out (T/C.2/SR.33) that elections to the Joint Council for Togoland Affairs were to be held on 1 or 2 July 1952 and that no further elections of local councils were to be held until the middle of August, by which time the Joint Togoland Council would probably have held its first meeting. He added that no significant tension existed among the indigenous inhabitants of the Trust Territory.

By resolution 631 (XI), adopted by 10 votes to 1 on 18 July 1952, the Trusteeship Council noted that the request of the chairman of the Togoland Congress had been largely met, and concluded that no recommendation on its part was therefore necessary. It also informed the Congress, in resolution 629(XI) referred to above, that a United Nations Visiting Mission would go to the Trust Territory in September 1952 to investigate conditions.

In its report to the General Assembly, the Trusteeship Council recalled the interest which it had previously expressed in the political reforms being undertaken in the Gold Coast and Togoland and commended the Administering Authority on the further progress made in bringing these reforms into effect. The Council noted with particular interest the satisfactory operation of the new executive and legislative organs, the reorganization of the regional administrative structure and the reform of the whole local government system. It attached particular importance to the formation of the new Trans-Volta/Southern Togoland administrative region and commended the Administering Authority on the steps being taken to establish a regional council for the area and on the posting of a regional officer to the headquarters at Ho, within the Trust Territory. Having in the past stressed the importance of developing effective local government organs as a means of promoting self-government, the Council commended the Administering Authority for initiating the establishment throughout the Trust Territory of the new, local government bodies based on uni-

versal adult suffrage and having wider powers than the Native Authorities which they replaced. The consultations with the peoples concerned in this respect and the establishment of facilities for training local government staff also met with the approval of the Council. It welcomed the extension of suffrage in the Northern Section of Togoland as a corollary to the establishment of the new councils. Finally, the Council expressed the hope that the process of establishing the new organs would be completed without undue delay and that both their powers and bases of representation would be progressively extended.

Reporting on developments in the joint civil service for the Gold Coast and Togoland, the Administering Authority stated that a Public Service Commission composed of three members, one an African, had been established to advise the Governor in controlling the service. Changes in the organizational and salary structures were made and the principles governing appointments were reaffirmed during 1951. In effect, these principles were designed to give preference to Africans of the Gold Coast (including Togoland), subject to qualifications, suitability and the public interest, and without implying the retrenchment of expatriates (for example, Europeans) in favour of local candidates. The Commissioner of Africanization, an African appointed in 1950, had the task of ensuring that the maximum number of qualified Africans became available for appointment to the higher grades. According to the Administering Authority's annual report, 470 Africans held senior posts at the end of 1951, nine of them citizens of Togoland. The Administering Authority informed the Trusteeship Council that in general there was a serious shortage of trained and qualified Africans suitable for immediate appointment to more responsible posts, but educational programmes had been reviewed with a view to increasing the number as rapidly as possible and it was also expected that the proportion of Togolandians in higher posts would increase considerably with the improvement of educational facilities. Apart from those being trained within the civil service departments, 263 Togolandians were receiving training for higher posts; 206 of these were students training to become teachers.

Noting the further development of the civil service with satisfaction, the Trusteeship Council expressed the hope that the Administering Authority would continue to extend the training facilities and other measures for enabling Togolandians to become qualified for increasingly higher posts in the Administration.

b. ECONOMIC DEVELOPMENT

The Trust Territory's economy is predominantly agricultural, there being no major industries and few small-scale industries. In the Northern Section, the inhabitants are engaged principally in growing foodstuffs and in stock raising. The production of cash crops for export is centred in the Southern Section of the Territory. Cocoa, the only important export crop, is produced by indigenous farmers and marketed by the statutory Gold Coast Cocoa Marketing Board. Similarly, the other cash crops—palm kernels and oil, copra, coffee and shea nuts—also produced by indigenous farmers, are marketed by the Gold Coast Agricultural Produce Marketing Board. The Southern Section of Togoland has a member on each of these Boards.

According to the Administering Authority's annual report, the Cocoa Board, the more important of the two, was reorganized in 1951 to give the cocoa producers more direct representation and to bring its policy and operations more closely under government control. The Board buys all Gold Coast and Togoland cocoa at a guaranteed price fixed in advance of crop seasons. In addition to accumulating reserves for its operations, for stabilizing the prices to be paid to producers, and for other purposes, the Board has made substantial net profits. For example, in the 1950-51 season, although the price paid to the farmer reached a record high of about £130 per ton, the average selling price was £270 per ton f.o.b.; and after allowing for costs and for export duties, which were greatly increased (over £13 million as compared to £3.5 million in the preceding year) in order to establish a special development fund, the Board's operations showed a surplus of over £20 million.

The stabilization reserve was originally set at £30 million but its target was progressively increased to £60 million; at the end of 1951 it stood at £51 million. Another reserve fund, for the rehabilitation of the industry, stood at £17.5 million, and the general trading reserve at £9 million; and insurance against riot and civil commotion had been increased by 50 per cent to £1.5 million. Togoland's contribution to the total production, normally amounting to somewhat less than 10 per cent, consisted in 1950-51 of the record quantity of 23,421 tons. The Board purchased this cocoa through commissioned buying agents at an estimated cost of £4.5 million, of which slightly more than £3 million went to the producers, and sold it for £6.3 million.

The Board's surplus on operations over and above its allocations to reserves are required by

law to be devoted to any purposes likely to benefit cocoa producers, subject to government approval. Sums made available for such purposes included, during 1950 and 1951, a total of £375,000 for local development projects in the cocoa areas; of £40,000 actually paid out, Togoland's share was £18,000, which was made available to the Southern Togoland Rural Development Committee for the provision of services such as roads, wells and dispensaries for the benefit of cocoa farmers.

In a petition (T/Per.6/305) before the Trusteeship Council at its eleventh session, the Togoland National Farmers' Union announced that the Togoland farmers had decided to establish a separate Togoland Produce Marketing Board and to make their cocoa produce available for purchase by all nationals of the United Nations. In its observations on previously examined petitions expressing dissatisfaction with the existing marketing arrangements for Togoland cocoa, the Administering Authority maintained that Togoland was adequately represented on the Gold Coast Board and that this Board served the interests of Togoland farmers better than a small independent board for Togoland which would handle comparatively insignificant quantities of cocoa and could not meet with the same acceptance on the world market.¹¹⁸ Since it had made recommendations on the subject at earlier sessions, the Council took no action on the petition during its eleventh session.

In its report to the Assembly, however, the Council noted the substantial price stabilization reserves set aside by the Gold Coast Cocoa Marketing Board from the sale of Gold Coast and Togoland cocoa on the world markets and the additional funds reserved for development in the cocoa areas; the Council also recognized that in the future a smaller proportion of the difference between the world prices and those paid the farmers would accrue to the Board as a result of the new export duty imposed on cocoa to finance general development plans. The Council recommended that the Administering Authority, bearing in mind these considerations as well as the desirability of avoiding undue inflationary pressures, invite the Board to review the prices it paid to the producers in order to ensure that these prices were adequate in relation to world market prices and to prices paid cocoa producers in neighbouring territories.

According to estimates supplied by the Administering Authority, revenue accruing in the

¹¹⁸ See Y.U.N., 1951, pp. 735-36, 762.

Trust Territory during 1950-51 again exceeded expenditure, for the second year in succession, revenue amounting to £1,039,886 and expenditure to £1,036,804. The bulk of the revenue was derived from import duty (estimated at over £430,000, or 41.5 per cent, in 1950-51), and export duty (estimated at over £408,000, or 39 per cent, as compared to £70,000 in 1948-49). The above figures, it was stated, did not reflect the additional and much heavier tax imposed on cocoa in order to set up a special development fund. In addition to the combined Gold Coast and Togoland budget, the Native Authorities maintain their own treasuries. The six in the Southern Section of Togoland had a total revenue of some £79,359 in 1950-51, of which government grants provided 37 per cent and taxes, court and other fees and tolls yielded 54 per cent.

An over-all Development Plan for the Gold Coast and Togoland was revised and approved by the Legislative Assembly in 1951, the Administering Authority reported; it provided for an expenditure of £75 million as against £62 million in the original draft and its completion was no longer restricted to a fixed period of ten years. It was estimated that capital would be allocated approximately as follows: £13 million for economic and productive services; £26 million for communications; £24 million for social services; and £11 million for common services and general administration. The Administering Authority stated that it was not possible accurately to estimate the expenditure to be made in Togoland but it provided an extensive list of projects in that Territory. Water supplies, it reported, would continue to be developed as rapidly as possible in both Sections of the Trust Territory. Owing to the greater concentration of population in the Southern Section, the larger schemes and more obvious progress would inevitably be in that area, the Administering Authority explained. Nevertheless, the programme of village wells, ponds and other water supply facilities in the north would be pursued vigorously with ample funds provided for minor rural supplies in the Development Plan. A broad extension of the road system was also planned in the development programme. In 1951, according to the annual report, there were 302 miles of road maintained by the Administration, 292 miles of all-weather road maintained by the Native Authorities at the Administration's expense and 120 miles maintained by the Native Authorities at their own expense. The first objective of the road development programme was a main all-weather trunk road from Accra (Gold Coast) to Papase, the Administering

Authority reported, and it would be possible to plan the extension of that road to the Northern Section of Togoland when a decision had been taken on the Volta River project and its implications were fully known.

Distinct from the general Development Plan, this project envisaged the damming of the Volta River to provide hydro-electric power for an aluminium plant and included concomitant plans for irrigation, wider distribution of electricity, and a new seaport in the Gold Coast as well as improved communications. The final report of the Government's consultants was issued in 1951. The Administering Authority stated that the success of the project, on which it submitted a detailed report, would greatly benefit the inhabitants of both the Gold Coast and the Trust Territory. Whether or not the project materialized, the Administering Authority added, estimated future traffic was sufficient to justify the construction of a harbour east of Accra and it had been decided to proceed with this construction.

Noting the inauguration of the Development Plan and the advanced stage reached in the planning of the Volta River project, the Trusteeship Council expressed its appreciation of the Administering Authority's action in submitting details on both projects and indicated that it awaited with interest further reports on the progress of their implementation. The Council expressed approval that the acceleration of the rural water programme was regarded in the Development Plan as a matter of the highest priority. It also noted the progress made in connexion with improving and extending the road system and urged upon the Administering Authority the desirability of constructing an all-weather road linking the Northern and Southern Sections of Togoland and of further improving access to the cocoa-growing areas in particular.

The Administering Authority continued to foster development on a local basis, it stated, through four local development committees designed to encourage community improvement through local initiative. During 1951 these committees, which function in both the Northern and Southern Sections, disposed of more than £10,000 in aid to village projects; this was the amount granted them under the Development Plan in each of the previous financial years. The Administering Authority reported that it would continue to pursue the aims of increased and more diversified agricultural production, as had been recommended by the Trusteeship Council. In the north, it stated, the main objective was the production of a reliable cash crop, groundnuts being thought to offer the

best prospects. The output was described as already considerable, but not sufficient for overseas export. The Administering Authority considered, however, that a prerequisite was the assurance of food supplies and stated that the Government had concentrated its activities on the improvement of soil conservation and general agricultural methods.

The Administering Authority has found the northern farmers a conservative people, reluctant to adopt new methods and new crops. Nevertheless, it reported a continued extension in 1951 in the growing of maize, cassava, rice and vegetable crops and, in the Kusasi district, an increase in the number of Togoland members of the Agricultural Development Committee by 73 to a total of 157. The Administering Authority attached importance to the work of this Committee, which makes loans to farmers to enable each to buy a plough and two bullocks and demonstrates mixed farming methods, fertilizing, contour ploughing and produce handling; it also buys its members' groundnut crops, using the profits to pay off the farmers' loans. Two of the northern Native Authorities also had similar loan schemes for the purchase of equipment. The Administering Authority considered that the principal limitation to a widespread extension of mixed farming in the north was now the capital investment needed to buy bullocks and ploughs.

In Southern Togoland the improvement of agricultural methods was also considered to be the fundamental problem, but the importance of the cocoa crop required that particular attention be paid to cocoa farming. Four of the seven senior agricultural officers stationed in or near Southern Togoland in 1951, the Administering Authority reported, were survey officers chiefly concerned with the suppression of the swollen shoot disease which had ravaged wide areas of the Gold Coast. The disease is controlled by cutting out affected trees; this was previously done on a compulsory basis and met with a certain amount of resistance, but was made voluntary in 1951 and, under a "New Deal" for cocoa launched later in the year, the compensation rates were doubled (from 2s. to 4s. per tree) and grants for replanting increased from 6d. to 6s. per tree. The Administering Authority reported that at the end of the year five outbreaks remained untreated, and that an intensive propaganda campaign was being launched in 1952.

Noting the reorganization of the campaign to eliminate the swollen shoot disease from the cocoa-growing areas, and that outbreaks within Togoland itself had been on a relatively small scale, the Trusteeship Council emphasized the

importance to the economy of the Trust Territory and its inhabitants of preventing the spread of infection and urged the Administering Authority to take all practical measures to ensure the co-operation of the cocoa producers in this task.

The Council expressed its satisfaction that the general economic situation of Togoland continued to be buoyant. Nevertheless, it drew attention to the fact that the territorial economy remained dependent largely upon the single commodity of cocoa. Emphasizing the importance both of diversifying primary production and of improving agricultural methods, the Council welcomed the Administering Authority's assurance that these questions were being given careful attention.

The Trusteeship Council, which has in the past encouraged the Administering Authority to promote the development of co-operative societies, was informed during its eleventh session that, by 1951, the number of co-operatives had increased to 26, from ten in 1947. Most of these were primary co-operatives for the marketing of cocoa, with a total membership of 3,866. A consumer co-operative had been established within the Territory at Jasikan, and an assistant co-operative officer and three inspectors of co-operative societies, all of whom had received special training, had been stationed in the Territory. Recalling its previous interest in the progress of the co-operative movement and noting the further progress achieved in the period under review, the Council expressed the hope that the Administering Authority would continue to encourage this development.

c. SOCIAL DEVELOPMENT

The Administering Authority reported that the standard of living in the Southern Section continued to rise in 1951, due to continued increases in prices paid for cocoa and other agricultural products. In the Northern Section, the Administering Authority indicated, interest in cash crops was growing and mixed farmers were emerging as a prosperous class. Regular wage-earners formed a small minority of the population. Apart from labour seasonally employed on the cocoa farms, roughly estimated at 20,000 to 25,000, the Administration and the Native Authorities were the main employers of labour. Government wages, which were said to determine to a large extent the level of wages throughout the Territory, ranged in 1951, as in 1950, from £3 18s. per month for labourers to £11 17s. 1d. per month for the highest-paid carpenters; in addition, a 20 per cent temporary cost-of-living allowance was maintained during the year. The

Administering Authority stated that the Legislative Assembly of the Gold Coast was to consider early in 1952 the adoption of new consolidated wage rates. In the case of labourers, these would amount to an increase of nearly 45 per cent in the Northern Section, and nearly 17 per cent in the Southern Section, of the basic wages plus the temporary allowance, thereby equalizing the wages paid in the two Sections. Similar increases were under consideration for semi-skilled workers and artisans. The Trusteeship Council was subsequently informed, during its eleventh session, that the increases had been approved and were being put into effect as rapidly as possible.

The seasonal workers on the cocoa farms, according to the Administering Authority's annual report, were usually employed: (1) under a caretaker system, receiving one third of the produce; (2) under a commission system, receiving a commission on each headload; or (3) at an annual contract rate ranging in 1951, as in 1950, from £12 to £20. In addition, they received board, lodging, tools and work clothes.

The Trusteeship Council recommended that the Administering Authority make a thorough study of seasonal labour movements, particularly in the cocoa industry, and of the conditions of seasonally employed labour.

Commenting on the status of women in the Territory, the Administering Authority stated that their status was in no way inferior to that of men. They had equality under the new electoral laws, it pointed out, and were being trained for various branches of the civil service; there were also women members of several Native Authorities. Noting with approval that women had equality with men under the new electoral laws, the Trusteeship Council expressed the hope that the Administering Authority would continue to encourage women to take a greater part in the Territory's civil and political life.

Reporting on corporal punishment, the complete abolition of which has been recommended by both the Trusteeship Council and the General Assembly, the Administering Authority indicated that until 1951 the laws of the Territory permitted the award of such punishment to adults for rape, robbery with violence and similar offences, to boys under sixteen in all serious crimes and to prisoners for two types of offences. In the case of adults, no such sentence had been imposed by the courts for several years and the award of corporal punishment to juveniles had declined from fifteen cases in 1949 to six in 1950 and three in 1951. The Administering Authority stated that a legislative proposal by the Gold Coast Govern-

ment to abolish corporal punishment as a court sentence for adults had been modified by the Legislative Assembly, which had decided to retain the punishment for housebreaking with weapons, as it felt that public opinion would not support abolition for this offence. The Administering Authority considered that, in view of the degree of constitutional development in the Gold Coast and Togoland, the desired end should be achieved only through persuasion and the utmost would be done by educative means to bring public opinion to accept total abolition. With regard to juveniles, the Administering Authority stated that cases involving corporal punishment should be reduced even further when probation services could be extended to the Trust Territory.

According to the annual report, a compulsory register is kept of all births and deaths occurring at the town of Ho. The Administering Authority stated, however, that although three Native Authorities in Southern Togoland had made rules for the compulsory registration of African births and deaths in 62 towns and villages, the rules had not been generally observed and it was decided to restrict their application to eleven of the larger centres. Once effective registration had been achieved, the Administering Authority added, it could be expected that the new local government authorities would wish to extend registration gradually to all areas in the Territory.

Noting the difficulties encountered in connexion with registration, the Trusteeship Council expressed the hope that the Administering Authority would take further steps to ensure that the registration of vital statistics was made applicable to the whole Territory.

As in the past, the medical services available in Togoland were provided by the Gold Coast Medical Department, the Native Authorities and to a lesser extent the missions. Government expenditure for public health increased from £47,330 in 1949-50 to £50,266, or 4.85 per cent of the estimated total expenditure, in 1950-51. The Southern Section of Togoland, the Administering Authority reported, was served by the central hospital at Accra in the Gold Coast, by district hospitals within the Trust Territory at Ho and Hohoe and by a mission hospital at Worawora. The Northern Section was served by a hospital at Yendi and two just outside the Territory at Bakwu and Salaga. Treatment was also provided by 21 dispensaries, two of them just outside the Territory; most of these were operated by Native Authorities. In addition, there were eight ante-natal and child welfare clinics in the Territory as well as a Native Authority maternity clinic

and a mobile maternity and child welfare clinic, both in the south. The Territory also had one leper settlement and one leper clinic. During 1951 a health centre at Kpandu was completed, for use initially as a dispensary and maternity clinic. The total number of all medical personnel increased from 78 in 1950 to 89 in 1951, the government staff including three doctors, four midwives and 23 registered nurses. The number of doctors serving in the Territory was increased during 1951 to five, with the addition of two non-official registered physicians. The Administering Authority pointed to the increase in the number of doctors, the opening of an additional hospital at Worawora, the completion of the new Hohoe Hospital and the construction of the Kpandu health centre as the beginning of a marked improvement in health services. It added that the completion of further plans would raise the number of hospital beds from just over 100 in 1951 to about 180. As a result of recommendations made in connexion with an investigation into kwashiorkor undertaken in the Gold Coast in 1950 by experts of the World Health Organization and the Food and Agriculture Organization, the Administering Authority reported, skim milk was being used on a wider scale in hospitals generally, particularly when treating kwashiorkor, and its increased consumption in the home was being advocated.

While considering the progress achieved in the field of medical and health services satisfactory, the Trusteeship Council expressed the opinion that much remained to be done. It recommended in particular that the Administering Authority continue its efforts to recruit additional doctors, to expand facilities for training medical personnel, to provide adequate maternity and infant care, and to undertake more intensive measures to eliminate yaws, one of the principal diseases treated.

d. EDUCATIONAL DEVELOPMENT

The educational system of Togoland is integrated with that of the Gold Coast. The Administering Authority reported that, effective January 1952, an Accelerated Development Plan for Education would supersede the Ten-Year Plan put into operation a few years before.

According to the annual report, primary education was available within the Trust Territory during 1951 at 287 infant-junior primary (5 to 11 years) schools, with an enrolment of 22,889 pupils, and at 51 senior primary (12 to 15 years) schools, with an enrolment of 5,986. These figures showed an increase of eighteen infant-

junior schools as compared with 1950. Eleven of the schools, with 509 pupils at the infant-junior level and 68 at the senior level, were in the Northern Section. The rest of the schools in the Territory were in Southern Togoland.

There were no government schools in the Territory, those in the north being managed by Native Authorities and most of those in the south by missions. The government exercised control through the Education Department, however, and through the granting of financial assistance under prescribed conditions. Under the Accelerated Development Plan, no new primary school might be opened by a religious body or by persons with assistance from public funds without the prior approval of the appropriate local government authority, which would in time, according to the Administering Authority, take over the main responsibility for primary and middle education. The Plan provided that, as from January 1952, no fees were to be charged in any primary schools, but parents were to continue to pay for books, stationery and uniforms. The existing school structure would also be changed under the Plan. A basic primary course (the present infant-junior school) for all children at public expense would be followed either by a "middle school" course which would replace the senior primary course, or by direct promotion to a secondary school. Due to the shortage of teachers needed to improve the quality of the primary course, however, the Administering Authority did not expect that it would be possible to accelerate to any large degree the programme envisaged in the former Ten-Year Plan. Moreover, the Territory could not for some time to come support enough middle schools to accommodate all the expected 75 per cent of pupils who would be most suited to that course, which was less academic and of a more practical nature than the secondary school course. Steps were being taken to recruit untrained teachers, the Administering Authority stated, to tide the schools over until trained personnel became available, and it had been decided to raise the salary of uncertificated pupil-teachers, effective 1 January 1952, from £42 to £60 per year in order to attract the best possible personnel.

In addition to the primary schools, Togoland had three other schools, all managed by missions: a secondary school, at Ho, which had 198 pupils in 1951—its second year of operation—72 of them of Togoland origin; and two teacher-training colleges, one of which had 73 trainees from Togoland and the other 29 in 1951, as compared with 110 and 52, respectively, in 1950. The

Administering Authority also reported that 166 Togoland pupils were enrolled at assisted secondary schools in the Gold Coast in 1951, as compared with 146 the year before, and a further 104 (100 in 1950) students from Togoland were enrolled at teacher-training colleges and 37 at technical education institutions in the Gold Coast. The Administering Authority stated that it intended to proceed as soon as possible with its plans for the construction of the teacher-training college in Pusiga, in the northern part of Togoland, and reported that another secondary school was planned for Kpandu, in Southern Togoland.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) in its observations on educational conditions in the Trust Territory (T/1012) concluded that, bearing in mind the increased enrolment of Togoland students in secondary schools both in the Trust Territory and in the Gold Coast, together with the measures contemplated under the Accelerated Development Plan, the expansion of secondary education might be regarded as fairly rapid.

Although there were no institutions of higher learning in Togoland, qualified Togoland students were eligible, on exactly the same terms as those from the Gold Coast, according to the Administering Authority, for scholarships in the university colleges of West Africa and in the United Kingdom. In 1951, 25 Togoland students were attending university courses on scholarships, eighteen of them being among the 340 undergraduate student body at the University College of the Gold Coast. In addition, three students from Togoland were studying at colleges in the United States with *ex gratia* awards from the Administration.

The Trusteeship Council noted with approval that the decision that primary education should be free had been put into effect in January 1952 and expressed the hope that free primary education would be made universal in the shortest possible time. Nevertheless, the Council observed, much remained to be done in providing adequate educational facilities. In this connexion, it welcomed the adoption of the Accelerated Development Plan. Expressing particular concern at the continuing disparity between facilities in the Southern Section and the Northern Section, where only 1.5 per cent of school age children attended school in 1951, the Council again urged the Administering Authority to take steps to ensure that the local authorities which were responsible for education in the north adequately carried out this responsibility. In view of the predominantly agricultural nature of the economy, the Council also recommended that the Administering

Authority consider the desirability of emphasizing the importance of agricultural education in the school curricula.

The Council endorsed UNESCO's opinion that the expansion of secondary education during the period under review might be regarded as fairly rapid.

The Administering Authority reported on the developments in mass education during 1951. Under an experimental scheme, initiated in the Southern Section of Togoland in 1948, a series of short courses was organized by mobile teams in outlying rural areas, based on mass literacy campaigns in the vernacular, first aid and hygiene, discussion group work, music, civics and other subjects. Several assistant mass education officers were trained and sent to the Territory to follow up the teams and visit the literacy class centres, some 120 of which were meeting at the close of 1951, each with an average membership of 40, mostly women.

In August of that year, the Administering Authority reported, a plan for mass education to cover both the Gold Coast and all of Togoland was presented to the Gold Coast Legislative Assembly and immediately incorporated as part of the general Development Plan. The basic concept of the campaign was that the attainment of literacy makes people aware of the need for social and economic improvements, and should have an intensely stimulating effect on village development and rural standards of living. Because of the political and constitutional position of the Gold Coast and Togoland, it was also recognized a literate electorate was of increasing importance.

For the Trust Territory, the plan—described as "a national adventure in social service"—would involve a staff of 80 and a rural training centre. The general procedure is for a three months' concentrated effort in one area after another, which should end in elementary literacy, and after that a follow-up period, village development, a secondary effort and then a repetition of the whole process the following year. During the secondary stages, in which concentration was to be on village improvement by self help, it was intended that the local development committees, the local government authority and the rural training centre were all to play their parts.

In the northern part of the Territory, mass education had not started in 1951 but the preliminary steps had been taken. During 1951, the Administering Authority stated, efforts were concentrated on carrying into practice proposals, made by a conference held in Tamale in 1950, for

adapting mass education to the needs of the Northern Territories.

Evening classes for adult literates continued to be held in the Northern Section of the Territory in 1951. The Department of Extra-Mural Studies of the Gold Coast University College also continued and expanded its adult education work in the Territory. The use of mobile cinemas for public information work was continued, and the first radio rediffusion station in Togoland was opened at Ho, with 140 receivers; two other stations were planned for the immediate future.

The Trusteeship Council again expressed its particular interest in the adult education activities in the Trust Territory. Noting the expansion of the mass education programme and of the adult education programme of the Gold Coast University College, the Council urged the Administering Authority to continue to give every encouragement to extending activities of this kind.

5. Togoland, Administered by France

This Territory, with a total area of 55,000 square kilometres, had an indigenous population estimated at 1,013,204 in 1951, according to the Administering Authority's annual report.¹¹⁹ Europeans and "assimilated" persons numbered 1,465 and were mainly government officials, missionaries and trading company employees.

a. POLITICAL DEVELOPMENT

Togoland continued during 1951 to form part of the French Union as an "Associated Territory". Accordingly, the Territory is granted the right of representation in each of the organs of the French Union, in which legislative powers and the right of political discussion are vested; it elects one representative to the French National Assembly, two to the Council of the Republic and one to the Assembly of the French Union.¹²⁰

Responsibility for local administration of the Territory is vested in the Commissaire de la République, who represents the President of the French Republic and is directly responsible to the Minister of Overseas France. He is assisted by the Conseil privé (Privy Council), which is composed of senior officials and appointed indigenous notables. The Administering Authority had informed the Trusteeship Council at its ninth session in 1951 that the replacement of the Conseil privé by a body organized on a more representative basis was being studied. Recalling this, the Council at its eleventh session urged the Administering Authority to expedite this reform and expressed the hope that the Conseil privé would gradually be transformed into an Executive

Council having some organic connexion with the local Territorial Assembly.

The latter, formerly known as the Representative Assembly, was transformed by law of 6 February 1952 into the Territorial Assembly, the Administering Authority informed the Trusteeship Council during its eleventh session. As before, the 30-member Assembly has powers of consultation and decision on specified questions, particularly territorial financial and administrative matters, but it may not initiate legislation. The Administering Authority had reported in 1950, following recommendations by the Trusteeship Council that the powers of the Assembly should be progressively extended, particularly in the field of legislation, that a draft law had been placed before the French Parliament to give the Assembly the power of decision on a number of questions on which only consultation was required. In its annual report for 1951, however, the Administering Authority stated that an even more liberal proposal was being studied.

Recalling its previous recommendations on the subject, the Trusteeship Council at its eleventh session expressed the hope that this more liberal draft law would be adopted in the near future and that it would provide for the grant of increased powers to the Territorial Assembly. The Council also requested that full information on the matter be provided in the next annual report.

The coming into being in 1951 of a new system of elective district councils, conseils de circonscription, was regarded by the Administering Authority as a most important step in the progress of Togoland towards autonomy. Created by an arrêté of 16 July 1951, the councils were designed to supplant the consultative conseils de notables, which were composed of administrative officers, chiefs and notables. The new councils, which are to meet normally twice a year at the summons of the Administration, must be consulted on nine categories of questions: the fixing, collection and use of the district tax; market-place fees; the fixing and collection of various other

¹¹⁹ France, Rapport annuel du Gouvernement français à l'Assemblée générale des Nations Unies sur l'administration du Togo place sous la tutelle de la France, année 1951 (Paris, 1952). For detailed discussions of this report in the Trusteeship Council, see Trusteeship Council, Official Records, Eleventh Session (3 June-24 July 1952); summaries of the observations of individual members are included in the Council's report to the General Assembly (A/2150). For general discussion in the Assembly concerning conditions in Trust Territories, see pp. 726-29.

¹²⁰ For the Trusteeship Council's analysis during 1952 of the status of the Trust Territory arising out of its membership in the French Union, see under Administrative Unions.

taxes and rates; the rate of the local tax (taxe vicinale); the planning and execution of public works; health and sanitation measures; the establishment of the draft budget for the district; the establishment of new schools, dispensaries and maternity centres; and the modification of sub-district and village boundaries. The councils may also be consulted on any question which the Administration deems useful, and may express their wishes on social, economic and general administrative questions. If a district council reaches an unfavourable opinion on a proposal of the Administration, it can be called upon to re-examine the matter; in the event of continued opposition, the Administration has the power of decision, subject to any powers of the Territorial Assembly in respect of the question at issue. There is one council for each administrative district and their membership varies from eight to 26 according to the size of the population.

Elections to the new councils were held in two stages in August and September 1951, the Administering Authority reported, and the councils held their first sessions in October. They showed a concern for the general well-being, the Administering Authority stated, and most of their proposals had been endorsed by the local Assembly (at that time the Representative Assembly) at its budget session at the end of the year. The Administering Authority added that legislation was in preparation which would vest the councils with much wider powers and introduce district budgets, thus enabling the councils to become real "regional representative assemblies" endowed with financial powers and entrusted with the management of local affairs.

Another development reported by the Administering Authority was the increase from two to five in the number of towns given the status of municipality (*commune mixte*) as of the end of 1951. Each of these towns, therefore, had a municipal commission elected by direct, universal suffrage and enjoyed real powers in budgetary and municipal administrative matters, the Administering Authority indicated.

The Trusteeship Council welcomed the development of district councils and the increase in the number of municipal councils. It also expressed satisfaction that important functions had been given the former councils by the *arrêté* of 16 July 1951 and expressed the hope that the draft law being prepared to confer still wider responsibilities on these councils would be enacted shortly so that opportunities for participation in local government by the indigenous inhabitants would be further expanded. The Administering

Authority was asked to keep the Council fully informed on these matters.

The Administering Authority reported that elections to the French National Assembly and the Togoland Representative Assembly as well as to the new district and municipal councils were held during 1951. Although the traditional tribal institutions continued to play an important role in the Territory, especially in the north, the Administering Authority indicated that the elections were conducted largely on a political party basis. According to the annual report, there were three political parties in the Territory: the *Comité de l'Unité togolaise*, which favours the unification of the Ewe people or of the two Togolands¹²¹ and early self-government or independence as a means to that end; the *Parti togolais du progrès* and the *Union des chefs et des populations du nord du Togo*, both of which supported the maintenance of the French regime and the guidance of the Territory towards autonomy within the framework of the French Union. Pointing out that in all the elections, whatever the method of suffrage used, the *Comité de l'Unité togolaise* had won only a minority, even in the south and in the areas populated largely by Ewes, the Administering Authority adduced that this loss of popularity showed a considerable change in public opinion towards the unification problem.

Both for the elections to the French National Assembly and to the Representative Assembly, the two electoral colleges—one for French citizens and the other for indigenous inhabitants—were maintained. By a law of 23 May 1951, the categories of persons entitled to vote in the second college, the most numerous of whom were those able to read French or Arabic, were extended to include all heads of families and mothers of two children. In June, at the elections to the French National Assembly, to which Togoland elects one deputy through the combined first and second colleges, the electoral rolls stood at 32,496. Of these, the Administering Authority reported, 26,840 actually voted, and the election was won by the candidate of the *Parti togolais du progrès*. He received over 50 per cent of the votes cast in the south and over 70 per cent of those in the north, the candidate of the *Comité de l'Unité togolaise*, who had held office since 1946, receiving the balance. The latter organization, the Administering Authority reported, had demanded that the election should be nullified, but the National Assembly had validated the election of the new deputy.¹²²

¹²¹ See below, Ewe and Togoland, Unification Problem.

¹²² See also Y.U.N., 1951, pp. 743-44, 759, 760, 761.

In December 1951, the elections to the local Representative Assembly were held. The two electoral colleges voted separately. In the French citizens' college, according to the Administering Authority's annual report, all six seats involved were won by a single list of candidates pledged to "defend local interests". In the second college, ten of the twelve southern seats were won by the Parti togolais du progrès, one by the Comité de l'Unité togolaise, which had previously controlled the Assembly, and one by an independent. All twelve of the northern seats were won by the Union des chefs et des populations du nord. The annual report gave no details of the number of persons registered and voting, nor did it indicate the extent to which the various seats were contested. Shortly before the December elections, the Mouvement de la Jeunesse togolaise (Juvento) (T/Pet.7/292) and the Association des Nations Unies du Togo (T/Pet.7/293) petitioned for the postponement of the elections pending the complete revision of the electoral list and the adoption of a law being considered by the Council of the Republic to establish a single electoral body for Togoland. The Juvento also alleged that the Administration was interfering openly with the electoral machinery of the Territory. After the December elections the Juvento again petitioned (T/Pet.7/292/Add.1), requesting that the election results be declared void and stating that no resolution originating from the newly elected Assembly could be deemed binding on the peoples of Togoland.

In its observations (T/999 and 1015 and T/C.2/SR.34) on these petitions, the Administering Authority described the Juvento as a branch of the Comité de l'Unité togolaise with limited activities and the other petitioners as an un-influential organization with only about ten members. It maintained that the December elections had proceeded normally and pointed out that the new electoral law referred to was passed on 6 February 1952. This law, according to the Administering Authority, brought the Territory very close to universal suffrage. In addition to establishing a single electoral college, it further extended the electoral body to include all heads of households and contained provisions for the determination of electoral districts. Pursuant to this law, the Administering Authority indicated, another election was held on 30 March 1952 for members of the Territorial Assembly, as the Assembly was now called, on the basis of the single college system, the powers of the Assembly elected in December having expired on that date. The Trusteeship Council was further informed,

during its eleventh session, that, since the revision of electoral lists was undertaken only after 1 December each year, the increase in electors provided by the law of 6 February 1952 had not yet been implemented. Nevertheless, the number of voters on the rolls under the earlier laws had risen by March to 50,915, of whom 82 per cent voted. According to the Administering Authority, the Comité de l'Unité togolaise won 10,650 of the votes actually cast, while the Parti togolais du progrès and the Union des chefs et des populations du nord registered 30,867 votes. Of the 30 members elected, 29 were Africans and one French.

In separate resolutions (634(XI) and 635 (XI)) on the above petitions, adopted on 22 July 1952 by 10 votes to 1 and 10 votes to none, with 1 abstention, respectively, the Trusteeship Council noted that the requests of the petitioners for the establishment of a single electoral college and the holding of new elections to the Territorial Assembly appeared to have been met.

The Council also examined three petitions (T/Pet.7/299-301)¹²³ protesting against the arrest during the March 1952 electoral campaign of Sam Klu, candidate of the Unite togolaise for the Territorial Assembly, and two of his electoral agents. The motive for the arrests was attributed by Augustino de Souza, the chairman of the Comité de l'Unité togolaise, to the desire to remove from the electoral race Mr. Klu, who had always been elected in the Palimé district by an overwhelming majority.

In its observations on these petitions, the Administering Authority reported (T/1015 and T/C.2/SR.34) that Mr. Klu, Mathias Apaloo and John Ball had been committed on 26 March on a charge of incitement to disorder, contempt of the authorities and spreading of false information; the case was pending before the court and the accused were being detained pending trial, the Administering Authority informed the Council. It added that the arrest of Mr. Klu in no way interrupted the electoral campaign of the Comité de l'Unité togolaise, whose two candidates, Dr. Martin Aku and Sam Klu, were elected.

By 8 votes to 1, with 1 abstention, the Trusteeship Council on 22 July 1952 adopted a resolution (639 (XI)) drawing the attention of the petitioners to the observations of the Administering Authority and requesting the latter to inform it of the results of the trial of the three persons accused.

¹²³ For names of petitioners, see Annex.

In its report to the General Assembly, the Trusteeship Council recalled its recommendations at several previous sessions with respect to the establishment of a single electoral college and universal suffrage. After commending the Administering Authority for introducing a single college system in all elections, including elections to the Territorial Assembly, and for the expansion of the electorate, the Council at its eleventh session urged the Administering Authority to intensify its efforts to enable all potential voters to qualify for registration and to encourage all registered voters to exercise their rights so that universal suffrage might become increasingly realized in practice.

Certain incidents which took place during 1951 were described in petitions examined by the Trusteeship Council during its eleventh session. A number of the petitions (T/Pet.7/264, 265 and Add.1, 266, 267 and Add.1, 268-284, 287) gave varying accounts of a disturbance between villagers and forces of order at Vogan, in the Anécho district, on 23 August 1951, in which seven persons were killed and others wounded. The principal petitioners were partisans of the Parti togolais du progrès and the Comité de l'Unité togolaise. The former accused the latter of instigating the disturbance, while the latter alleged that it arose from the insistence of the Administration in recognizing a chief not chosen according to custom. Similarly, differing versions were given (T/Pet.7/265 and Add.1 and T/Pet.7/269) of a previous incident in the village of Agbétiko, in the same district, on 10 August, when one man was killed in a disturbance, which also arose from a chieftainship dispute. Both disturbances had been called to the attention of the General Assembly during its examination of the Ewe and Togoland unification question at its sixth session.¹²⁴

The Vogan incident was further referred to in the Administering Authority's annual report as a serious one in which the police had been attacked by a band of rioters and forced to use their weapons. In subsequent detailed accounts (T/999 and T/C.2/SR.33) of the Vogan and Agbétiko disturbances and the events preceding them the Administering Authority stated that the incidents were provoked deliberately by the Comité de l'Unité togolaise. As a result of judicial inquiries, the Administering Authority added, 44 persons were being charged with crimes connected with the Vogan incident. With respect to the succession to the chieftaindom of Agbétiko, the Administering Authority stated that the dispute was settled with full respect for custom and law and

the authority of the new chief was recognized by the great majority of the population.

Allegations that 62 or 65 inhabitants of the Mango district in northern Togoland were imprisoned in October 1951 after revolting against alleged abuses and exactions of the superior chief of the Tchokossis were made in two other petitions (T/Pet.6/312-7/290, and T/Pet.7/302) from the chairman of the Comité de l'Unité togolaise. In its observations on these petitions, the Administering Authority stated that 66 persons were arrested during the October incidents and arraigned before the judicial authorities in accordance with the law. It recalled, further, that the judicial authorities did not consider that there were any grounds for court action with respect to the matter of alleged extortions by the superior chief. In another petition (T/Pet.7/298 and Add.1), the chairman of the Comité de l'Unité togolaise protested against a decision of 15 March 1952 prohibiting any public or private meeting of the Comité in Mango. It was explained by the Administering Authority (T/1015 and T/C.2/SR.34) that this decision was based solely on a desire to ensure the maintenance of public order and security and was repealed early in April, as soon as the situation had improved.

Martin Aku, Sylvanus Olympio and S. G. Antor, all of whom had appeared before the Fourth Committee during the sixth session of the United Nations General Assembly on behalf of pro-unification groups in the two Togolands, cabled (T/Pet.7/294) protesting against the "intolerable restrictions" placed on all political demonstrations in the French-administered Trust Territory since the beginning of 1952. In a later cable (T/Pet.7/296), Mr. Antor stated that at Palimé on 16 March the French Government was "in arms" to prevent Togoland delegates to the United Nations General Assembly from reporting at a public rally on the Assembly's sixth session decision concerning the unification question¹²⁵ and that the population was thrown into panic and public order endangered. He demanded the immediate dispatch of a commission of investigation. In other petitions (T/Pet.7/295 and Add.1 and T/Pet.7/297), the chairman of the Comité de l'Unité togolaise asserted that the local administration was committing acts of provocation against the population. He alleged that during Mr. Olympio's lecture tour in the Atakpame district the police organized raids and seized the

¹²⁴ See Y.U.N., 1951, p. 759.

¹²⁵ See Y.U.N., 1951, pp. 765 & 768; see also below under Ewe and Togoland Unification Problem.

trade rifles, used by the villagers to fire welcoming shots during the reception in accordance with their customs and usage. Those who shouted "ablode" (freedom), he further alleged, were arrested and taken to police headquarters, where they were beaten.

Replying to these petitions, the Administering Authority pointed out (T/1015 and T/C.2/SR.34) that freedom of assembly in Togoland was subject to the same legislation as in France. It affirmed that the Administration had taken no general action to restrict public freedom since early 1952, but had merely enforced the law prohibiting meetings on the public highway and intervened in a number of particular cases when the projected demonstration was likely to disturb the peace. The police brutalities reported by the Chairman of the Comité de l'Unité togolaise, the Administering Authority stated, were figments of the imagination. As to the rifles, only those held by persons who had not complied with the regulations regarding the possession of these weapons had been confiscated pending compliance with the necessary formalities.

After examining the above petitions, the Trusteeship Council on 22 July 1952 adopted resolutions 632(XI), 633(XI), 640(XI), 638(XI), 636(XI) and 637(XI), each by a vote of 10 to 1. In these resolutions, the Council noted that it had been informed that the Administering Authority was taking steps to implement the General Assembly's resolution (555(VI)) relating to the Ewe and Togoland unification question and called the attention of all the petitioners to the fact that, pursuant to this resolution, a Visiting Mission would go to the Territory in September 1952 to investigate all aspects of the unification question. By resolution 632(XI), the Council requested the Administering Authority to inform it of the results of the trials of the 44 persons accused in connexion with the Vogan incident. With respect to the other petitions, the Council drew the attention of the petitioners to the relevant observations of the Administering Authority and decided that no recommendations by the Council were necessary in the circumstances.

In describing developments in the judicial system in the Territory, the Administering Authority pointed out in its annual report that the satisfactory results of the establishment of customary courts, composed exclusively of indigenous inhabitants, led to the organization in 1951 of four new courts of this kind and to a plan for establishing six others in 1952. This would bring the total to 25, thus covering almost all the districts and sub-districts of the Territory.

According to the Administering Authority's annual report, European employees of the Administration increased from 176 in 1950 to 188 in 1951, all except seven being in higher categories, while indigenous employees in higher categories increased from 185 to 223 and in lower categories decreased from 5,052 to 4,627. The Administering Authority stated that the integration of indigenous officials into the higher grades of the service, as earlier recommended by the Trusteeship Council, was on the way to realization. It cited a series of arrêtés issued or proposed during 1951 to this end, and listed 128 indigenous officials who at the end of the year were holding higher posts; these included three police commissioners, 34 midwives and nurses, 23 African doctors, sixteen overseers and bookkeepers, 23 teachers. It also listed 23 positions occupied by indigenous officials which had normally been occupied by Europeans, including chiefs of sections and offices, special agents and chiefs of sanitary sub-divisions.

Recalling its previous recommendation on the subject, the Trusteeship Council noted that some progress had been made towards increasing the number of indigenous personnel in the Administration and that all posts were open to indigenous inhabitants possessing the necessary diploma. At the same time, the Council noted that few indigenous inhabitants held senior posts in the Administration and it invited the Administering Authority to intensify the training of suitably qualified indigenous candidates for administrative and judicial posts and to study measures to encourage them to make a career of the public service. The inclusion of full information on the matter in the next annual report was sought by the Council.

b. ECONOMIC DEVELOPMENT

The Administering Authority's annual report indicated that the total volume of trade increased considerably. The most significant feature of the Territory's economy in 1951, it stated, was the favourable trade balance, the value of exports amounting to 2,698,840,000 francs¹²⁶ and imports to 2,331,240,000 francs, as compared to 1,528,141,500 and 1,624,020,366 francs, respectively, in 1950. The report stated that cocoa, coffee, cotton (ginned), copra, palm kernels and groundnuts, the staple products in the economy, accounted for 84 per cent of the total value of exports. The favourable balance of trade was noted with satisfaction by the Trusteeship Coun-

¹²⁶ Throughout this section, francs = CFA (Colonies françaises d'Afrique) francs.

cil, which expressed the hope that this trend would be maintained.

The Administering Authority reported a further improvement in the food situation, stating that food production in the Territory as a whole was generally excellent, amounting to 665,516 tons in 1951 as against 642,698 tons in 1950. The annual report showed a considerable drop in the maize harvest, however, from 42,215 tons in 1950 to 38,740 tons in 1951; this was caused by severe outbreaks of blight, which were attributed in part to the gradual exhaustion of the soil. Successful efforts were made to mitigate the effects of these outbreaks, particularly by the introduction of alternative crops, the Administering Authority stated. The production of industrial crops showed a slight decrease—79,480 tons in 1951 as compared with 82,238 tons in 1950. A decline in the production of palm kernels (from 12,800 to 10,000 tons) and karite almonds (from 42,000 to 35,000 tons), which were chiefly responsible for the decrease, was due to less active trade, the Administering Authority indicated. On the other hand, copra production, as a result of the high prices obtained, rose from 4,950 to 7,000 tons, and coffee output increased to 3,500, almost three times the 1950 figure, as a result of a campaign against the scolytus beetle. There were also increases in the production of seed cotton (from 1,600 to 3,750 tons), seed kapok (from 275 to 1,000 tons) and groundnuts (from 10,570 to 12,000 tons, shelled).

In most areas, the indigenous inhabitants still practised extensive, and often shifting, cultivation, the annual report indicated, and the work of the agricultural services was designed to prepare a transition from ancestral methods to intensive farming and the rational utilization of livestock with a view to soil regeneration. The Administering Authority hoped that such a revolution would be achieved by means of propaganda and persuasion. Farm schools and pilot centres were working toward this transition. The work of improving and extending the farms of the Agricultural Service was either completed or continued in 1951, the Administering Authority reported. The farm at Glidji was specializing in research on soil erosion in the terres de barre; the Tové farm was working on the improvement of food crops, coffee trees and oil palms; the Sotouboua farm, in the densely populated Lama-Kara area, where the land was greatly impoverished by over-cultivation, was studying soil regeneration and anti-erosion measures, especially by using cattle; the Barkoissi pilot centre was designed to show the local indigenous farmers

how to farm in a way which would conserve the soil; and the Atilakoutsé station was continuing its research into the best varieties of cinchona. The farm schools, the Administering Authority reported, had had to be completely reorganized and the students brought together at Tové; those at Glidji and Sotouboua had had to be closed because of the lack of enthusiasm for farming on the part of the young Togolandese. The work of these centres for specialized practical experimentation and instruction, assisted by the distribution of plants, seed, fertilizers and repeated experiments carried out on small plots of land made available to the farmers, was being supplemented by a plant protection campaign against diseases of the coconut palm, parasites of the palm tree, maize blight and the scolytus beetle, followed by the destruction of larvae, inspection of plantations, treatment, etc. Agricultural production was encouraged and maintained by means of the Local Agricultural Production Maintenance and Equipment Fund, financed by means of fees paid by the exporters, the annual report indicated. In addition, loans were granted to farmers by the Joint Fund of the provident societies; of sixteen loans, aggregating 7,685,000 francs, granted by this Fund during 1951, eight, totalling 2,985,000, were agricultural loans.

The quality of livestock raised a much greater problem than its quantity, which, according to the annual report, had reached its effective maximum. In addition to the prevention of epizootic diseases, the stock-breeding service was implementing a systematic selection and cross-breeding programme; despite the interest shown, however, this programme was meeting with psychological and social obstacles, the Administering Authority observed. The Lome stock-breeding centre, comprising a laboratory, a clinic and sanitary installations, came into operation early in 1951; the Dapango centre, badly damaged by a tornado in 1950, was repaired; and a programme of cattle protection measures and rural hydraulic projects was drawn up for commencement in 1952.

The Administering Authority reported that, of 637,100,000 francs allocated for agriculture under the Ten-Year Plan by the end of 1951, 142,700,000 francs had been used and 127,260,000 francs paid out, and, of 47 million francs allocated for stock-farming, 22 million francs had been used and 16,500,000 francs paid out.

The Trusteeship Council noted the paucity of natural resources and the poor quality of the soil and the fact that methods of mechanized cultivation might not be those most suitable to the soil conditions. The intensive study being given

to promoting agriculture, particularly in the fields of research and experiment, was also noted by the Council, which expressed the hope that the Administering Authority would intensify its efforts to disseminate agricultural information to indigenous farmers, to ensure soil conservation and regeneration and to combat plant diseases. Finally, the Council requested that it be kept informed of the steps taken or contemplated to improve soil fertility and all other aspects of agriculture.

Most of the Territory's industrial installations, including cotton and kapok ginning mills, a soap factory and a grated coconut factory, were connected with the processing of agricultural produce. A palm oil extracting mill at Alokouegbé, set up and presented to the Territory by France, carried out its first trials in 1951 and was expected to come into operation in 1952, the Administering Authority stated.

The Territory's mineral resources are limited; chromite and, to a lesser extent, bauxite appeared to be the only exploitable minerals, according to the Administering Authority. A permit for the exploitation of the chromite deposits on Mount Ahito had recently been granted, the Administering Authority informed the Trusteeship Council during its eleventh session. With regard to bauxite, the Bauxites du Midi Company had a special authorization to prospect.

The advance in the development of secondary industries in the Territory was viewed with satisfaction by the Trusteeship Council, which expressed the hope that the existing trend would be maintained so that the economy might be developed on a more diversified basis.

According to the report, the 1951 budget totalled 1,024,500,000 francs, an increase of 158,399,000 francs over that of 1950, arising from a general revision of salaries, development of health and education services, the volume of public works and a general rise in prices; the budget was balanced by taking 120 million francs from the reserve fund. Few changes occurred during 1951 in the organization of the Territory's fiscal system; the budget received 144,500,000 francs from direct and similar taxes, and 557 million francs in contributions collected sur liquidation. The Administering Authority reported that, as part of a campaign against the increase in the consumption of alcohol, the Representative Assembly, at its November session, had substantially increased the rates of licences at both the wholesale and retail levels.

Expenditure under the Ten-Year Plan during the fiscal year 1950-51 totalled 425,789,828

francs, according to the annual report. By the end of 1951, in addition to the funds spent for agriculture and stock-farming, the Administering Authority indicated, considerable sums had been expended for railways (509,700,000 francs, of which 402,700,000 francs were paid out), roads and bridges (599,000,000 francs, of which 399,200,000 francs were paid out), ports (151,000,000 francs, of which 61,000,000 francs were paid out) and communications (117,250,000 francs, of which 44,400,000 francs were paid out). According to the annual report, the chief operations in progress, in particular the Lomé-Aneho highway and the Tokoin General Hospital, would not approach completion until 1952.

The Trusteeship Council urged the Administering Authority to press forward with the implementation of the Ten-Year Development Plan and, further, to take the necessary measures to improve statistical services so as to provide an increasingly detailed factual basis for future planning.

Commenting on earlier Trusteeship Council recommendations concerning the participation of the indigenous inhabitants in the economy, particularly in policy-making and managerial activities, the Administering Authority reported that the Representative Assembly was consulted as required by law on the utilization of funds allocated under the Ten-Year Plan. This participation in policy-making was to be increased, it added. As regards participation by the indigenous inhabitants in managerial activities, the Administering Authority further stated, the only qualification was personal competence. In 1951, there were 800 indigenous merchants in Togoland, and one of the largest importing and exporting firms was managed by a Togolander. Moreover, under an arrêté of 3 December 1951, the posts of president and treasurer of the Chamber of Commerce were opened to indigenous inhabitants, as had been recommended by the Council. At its eleventh session, the Council commended the Administering Authority for having implemented this recommendation.

The Administering Authority also stated in its report that it was continuing to encourage the establishment of co-operatives. Two new production co-operatives had filed their articles in 1951, and a new consumers' co-operative was expected to start operating during 1952. Arrangements had been made for two indigenous agents of the co-operatives to attend an advanced training course in France in 1952. The report added that, although not many co-operative institutions had yet been legally established, in practice co-opera-

tive groups were formed by chiefs at the request of producers when products were sold.

After recalling its earlier recommendations on the subject, the Trusteeship Council again expressed regret that the development of co-operatives was still somewhat slow. It noted an assurance by the Administering Authority, however, that close attention would be given to the problem of encouraging their development and that everything possible would be done to increase the number of persons trained in the establishment and management of co-operatives.

According to the annual report, the Administering Authority considered the general introduction of land registration of vital importance for the economic development of an essentially agricultural territory such as Togoland. Improvements were dependent on credit, and mortgages could only be issued against property which had been registered in the Land Register. The Administering Authority reported that the desirability of possessing land titles guaranteeing ownership under the Civil Code was being more widely appreciated by the indigenous inhabitants, even by those who held customary titles of ownership, and in 1951 the number of registrations reached a record total of 226 for a one-year period. This brought the area held under registered title by Africans to 7,006 hectares, as compared with 6,814 hectares in 1950; an area of 565 hectares, the same as in 1950, was registered in the names of non-indigenous inhabitants. One obstacle to a more general practice of registration was its relatively high cost, due largely to the fees of private surveyors, and consideration was being given to draft regulations for establishing a schedule of fees. Meanwhile, under an *arrêté* of 23 May 1951, the services of an Administration surveyor could be obtained at the official fee.

The Territory's forest domain covered an area of 105,000 hectares, of which 66,500 hectares were classified during 1951, in all cases with the full approval of the population, the Administering Authority reported. In spite of the increase in the classified area, it was regarded as still low, as it represented only 1.9 per cent of the total area of the Territory and only 4.66 per cent of the wooded area. The low figure was to some extent accounted for by the newness of the forestry service and the former hostility of the local population, the customary owners of the land, to the classification of uncultivated land. The Administering Authority noted an increasing acceptance on the part of the local population in 1951, however, as a result of a propaganda campaign launched by the forestry service, and it

indicated that preliminary plans for the classification of a further 80,000 hectares were studied in 1951, together with other soil regeneration measures. The Administering Authority also reported that, for the first time, a large number of blocks of artificial stands of teak were cleared, a portion of the felled timber being given to the indigenous communities; the Territory received the balance.

c. SOCIAL DEVELOPMENT

According to the Administering Authority's annual report, the labour force in 1951 totalled 44,600, among whom 34,000 were unskilled labourers, 4,000 semi-skilled and 3,000 skilled. Recommendations concerning the enactment of a labour code for the Territory had been made by the Trusteeship Council since 1947, when a draft code was presented to the French National Assembly; the Administering Authority stated, in its 1951 report, that the proposed labour code for the French overseas territories would probably be promulgated during 1952.

The Administering Authority pointed out that the Inspectorate of Labour did not report any cases of contraventions of existing labour regulations during 1951. It added that inspection was facilitated by the existence of staff representatives in all undertakings employing a staff of ten or more, and by the vigilance of trade unions, which had continued to expand during the year. Six employers' unions, 35 workers' unions and five professional associations were registered. The Togoland Federation of Trade Unions (Union des Syndicats confédérés du Togo) had a membership of 20 trade unions; nine were attached to the General Confederation of Christian Workers (Confédération générale des travailleurs chrétiens); and six were independent. The total membership of the workers' trade unions was 6,425, but less than half that number had paid dues. The Administering Authority reported that relations between employers and employees were normal during 1951. Discussions held in May, June and July between the various trade union representatives on the question of wage increases were completed to the satisfaction of the workers, the report indicated. Basic wage rates, calculated according to the minimum subsistence level, were established by the Advisory Labour Commission on the basis of (a) reports issued by the Inspectorate of Labour on the prices of basic commodities at Lome and in the various centres and (b) studies by workers' and employers' trade unions. Minimum wage rates were reviewed from time to time in order to compen-

sate for increases in the cost of living, the Administering Authority stated, the latest adjustment having raised the minimum wage for unskilled labour to 144 francs a day on 1 July 1951, as compared to 82 francs a day as of 1 January 1950. This represented an index increase of 2,280 in relation to the base year 1938 (index 100) and of 380 in relation to the year 1947; minimum wage rates for daily-paid administrative employees in the lowest category had been increased from 53 francs in 1947 to 158 francs in 1951. The latest wage increases, the annual report indicated, had put real wages slightly above the increase in the cost of living and much higher outside Lome. A Territorial Labour Exchange had been established by an arrêté of 27 June 1951 to help workers find employment, the Administering Authority stated. It pointed out that there were no restrictions on the movement of workers within the Territory and that a number of individual workers continued to migrate, mainly to British and French Nigeria and the Gabon in French Equatorial Africa, for temporary work.

The Trusteeship Council, recalling its previous recommendations on the subject, indicated its regret that the labour code for the Territory had not yet been finally approved by the French Parliament and expressed the hope that action on this legislation would soon be completed. The Council also requested the Administering Authority to make a close study of the problems of migrant workers, especially of those going into neighbouring territories for the harvesting and transportation of the cocoa crops; the Administering Authority was asked to include in its study the question of the adequate supervision of such migratory movements. The Council further asked that full information on the matter be included in the next annual report.

The Juvento, in its petition (T/Pet.7/292/Add.1), condemned any system of forced labour intended to associate the illiterate or tyrannical chiefs in the exploitation or enslavement of the whole country. The Administering Authority observed (T/1015 and T/C.2/SR.34), however, that no system of forced labour existed in the Territory, and the Trusteeship Council, in its resolution (634 (XI)) on the petition, drew the attention of the petitioners to this observation.

With respect to town planning and housing, the Administering Authority reported that the town plan for the modernization of Lome was continued in 1951, and many modern villas were also built by Africans; the lighting system was being installed and a new slaughterhouse was

completed. In the interior, building and town-planning was also in progress, notably at Sokodé, Palimé and Tsévié. The main schemes being carried out under the Ten-Year Plan were for water supply systems at populated centres, for well-sinking and for draining the Lome lagoon.

The civil registry system, which was being organized for the indigenous population, aimed at a simplification and extension of registration, the annual report stated. The report indicated that the civil registry centres, which increased from 246 in 1950 to 256 in 1951, had functioned satisfactorily during the year. It was hoped that in the south, particularly in the Lome, Klouto and Anécho districts, each village would soon have a civil registry centre; in the north, the Administering Authority pointed out, the problem was to find secretaries who were both literate and sufficiently reliable to be entrusted with the registry files.

With respect to public health, the annual report indicated that the indigenous medical assistance service, which maintains a permanent organization of hospitals, dispensaries and other facilities, extended its curative medical services during 1951 and modernized its public health units. The mobile medical and prophylactic service continued its public educational work in hygiene during the year in addition to performing its essential function as a mobile medical service. It was pointed out, to illustrate the improved situation in the Territory, that the proportion of the population suffering from sleeping sickness had been reduced in 20 years from 17 per cent to 0.2 per cent. The health service budget for 1951, the Administering Authority reported, was 205,920,000 francs, or 20 per cent of the local budget, compared with 186,686,000 francs in 1950. In addition, by the end of 1951, 471,900,000 of the 716,625,000 francs allocated for medical services under the Ten-Year Plan had been spent and 418,366,000 paid out. The following major work projects were begun during 1951: three new hospital buildings at Sokodé; two polyclinics, at Lama-Kara and Nango; three medical centres, at Dapango, Niamtougou and Vogan; six new dispensaries; preliminary work on the building of a 120-bed hospital at Anécho; and continuation of the work at the Lome General Hospital, part of which was already in use.

A total of 4,700,000 general consultations were given in 1951; cases admitted to hospitals during the year numbered 16,149 and days of treatment 523,134. The annual report indicated that the maternity and child welfare service was expanding to serve an increasingly large number

of centres. In 1951, there were 7,236 births with medical attention (as compared with 4,412 in 1947), 46,641 pre-natal and 66,513 post-natal consultations, 413,875 consultations involving children under two years of age and 599,775 involving children from two to five years. The medical and educational authorities co-operated closely in the work of school medical inspections, the Administering Authority reported, and each child had a medical record book, kept up-to-date by quarterly inspections. The medical staff in the Territory included, among others, eleven fully qualified doctors, two of them Africans, sixteen locally trained "African doctors", 27 midwives, also locally trained, and 343 nurses. The annual report stated that twelve Africans were studying medicine in France, seven were studying pharmacy and one dental surgery. After a special competitive examination, members of the African medical staff could study in France for French State diplomas; in addition, on passing the baccalauréat, students could study medicine at the Dakar school, set up in October 1950, and train there for the State diploma.

The Trusteeship Council noted the further expansion of medical and health services during 1951 and especially the total of consultations and the reduction in the proportion of the population suffering from sleeping sickness. Nevertheless, it considered that a great deal remained to be done and expressed the hope, as at previous sessions, that the Administering Authority would continue its efforts to improve the medical facilities still further and, in particular, to expand the provisions for the full medical training of indigenous medical students. Noting also that the Administering Authority had given attention to the problem of infant mortality, the Council urged that further study be given to the problem and requested that full information on the matter be provided in the next annual report.

d. EDUCATIONAL DEVELOPMENT

As defined in the report for 1951, it is the educational policy of the Administering Authority to bring Togoland pupils as rapidly as possible to the competitive examination standards obtaining in Metropolitan France, so as to give them opportunities equal to those of their fellows in the French Union who seek posts filled by competitive examination. Generally speaking, the policy is pursued through the provision by government of completely free primary, secondary and higher education, and through a progressive extension of educational facilities.

Following recommendations of the Trusteeship Council, further efforts were made during 1951 with respect to using local languages in teaching. In June 1951, a widespread consultation of the leading experts in the various dialects was organized, but the Administering Authority reported that it was impossible to decide which among 22 important dialects were the dominant languages—Ewe, Mina, Cabrais or the Moba dialects. It was therefore decided that as far as possible teachers should work in their own districts and should give moral instruction, practical training and teaching in singing in the local dialect; that they would also teach adult classes; and that school books should be prepared in the local dialects. Such dialects would still be used in the elementary classes.

The Juvento, in a resolution adopted on 4 January 1952 (T/Pet.7/292/Add.1), a copy of which was transmitted to the Council, proclaimed its intention of using every legal means to ensure the establishment of cultural exchanges between the youth in the south, centre and north of Togoland. Commenting on this petition, the Administering Authority observed (T/1015) that it considered that such cultural interchanges would be most advantageous and had never obstructed their development.

The annual report indicated that the activities of the Educational Service during 1951 were directed in particular to reorganizing and improving teaching methods so as to achieve better results from school work. During previous years, enrolment had proceeded at such a rate that teachers had been faced with very large classes, sometimes as many as 150 pupils. The buildings had been hurriedly constructed and very scantily equipped. Efforts were therefore made in 1951 to increase the number of classes and to distribute the pupils so that no class should contain more than 55; to improve the ability of teachers; and to distribute school equipment. The Administering Authority hoped that by 1952 all the classrooms would be adequately equipped. As regards the construction of school buildings, the annual report indicated that, of 686,000,000 francs allocated under the Ten-Year-Plan, 233,500,000 francs had been committed and 116,140,000 francs disbursed as of the end of 1951. The two new large buildings of Lome college were completed. The teachers' training college at Atakpame and a primary school at Nyekonakpoé were opened early in 1951 and the girls' school in the latter town was being enlarged. In addition, work on a women's college, construction of which was approved by the Representative As-

sembly, was expected to begin in 1952. Allocations for education for 1951 in the territorial budget amounted to 156,800,000 francs, or 15 per cent of the whole budget, as against 113 million francs allocated and 142,516,000 francs spent in 1950. Subsidies from the local budget to Catholic and Protestant mission schools amounted to 37,123,850 francs.

According to the annual report, the number of government elementary school classes increased from 345 in 1950 to 399 in 1951 and the number of private school classes from 353 to 391. The total number of pupils in both government and private schools rose to 43,151 in 1951, as compared with 40,833 in 1950. In addition, 12,752 pupils attended non-subsidized mission establishments giving religious instruction and the elements of learning. Government secondary school classes numbered 21 in 1951, an increase of one over the year before, and private secondary school classes 15, a decrease of one. There were 955 secondary school pupils in 1951, as against 835 in 1950. Those receiving technical training included 63 in the commercial section of Lome college, 69 in the technical section of Sokodé college and 28 pupils and four internes in the domestic science section of the girls' school at Lome. Trainees were also admitted to the agricultural services and the various technical administrative services, and several hundred were given instruction at the Catholic mission vocational training school, in private undertakings and, especially, by many African craftsmen. Most of the pupils attending secondary and technical schools received maintenance grants, the Administering Authority indicated, and in 1951 a total of 343 scholarships were granted.

The Administering Authority stated that pamphlets giving information on the work, purposes, principles and organization of the United Nations were distributed in all schools. Lessons on these subjects were given in all government schools, and United Nations day was celebrated in all schools with discussions on the working of the United Nations and the Trusteeship Council.

According to the annual report, the teaching staff in the government secondary schools was composed in 1951 of one Academy inspector, fifteen certified professors, one assistant and six teachers. The teaching staff in the government primary schools consisted of 42 teachers of the metropolitan service, 93 teachers of the higher local grade and 292 pupil-teachers. This staff was trained in the schools and colleges of France, French West Africa, the secondary college at Lome, or the teachers' training college at

Atakpame. The annual report stated that the first group of teachers who had received appropriate training from the school at Atakpame would graduate in 1952. In 1951, an effort was made to improve, by vocation courses, lectures and other means, the professional training of young teachers, 20 of whom were recommended for degrees. The report also indicated a considerable improvement in conditions for teaching staff during recent years, as a result of the construction of new schools and of comfortable living quarters.

The teaching staff in private schools was composed of seven certificated teachers, eleven assistant teachers, 29 instructors, 131 pupil-teachers and 243 assistant pupil-teachers.

While there are no higher educational facilities within the Trust Territory, students completing their secondary education are granted scholarships for university or higher technical schools in France; only one student chose to go to the University of Dakar in 1951. The Administering Authority reported that there were 82 scholarships for higher education in 1951 in the fields of the arts (7), science (16), medicine (15), pharmacy (7), law (5), dental surgery (3), and technical training (29); in addition, there were fifteen scholarships for education in secondary schools. There were also thirteen young Togoland students studying in France at local expense to complete their technical training.

Reporting on mass education, the Administering Authority stated that 135 courses for adults, the most popular form of mass education, were held in 1951. The elementary courses were directed by student teachers, and the more advanced courses by instructors. A total of 489 candidates who had attended those courses sat for the certificate, and 60 obtained it. The mobile cinema and library van made its rounds throughout the year and acquired fifteen more films. A youth hostel was organized at Tsévié, with a library, tennis courts and other amenities. The public libraries in Togoland included those of the Institut français d'Afrique Noire (IFAN) with 6,000 volumes and that of the Direction du Service de l'Enseignement with 2,170 volumes, and many libraries in primary and secondary schools. In 1951, a publishing firm sent a mobile library to tour the Territory and sold a large number of classical works, grammars and other books, the Administering Authority reported, and the Education Service decided to organize a circulating library system for home lending. It was also pointed out in the annual report that in 1951 the Representative Assembly, at the Administra-

tion's request, approved the funds necessary for an experiment in fundamental education similar to experiments carried out by the United Nations Educational, Scientific and Cultural Organization (UNESCO). The experiment would include, among other things, a school, a dispensary, a handicrafts workshop, a model garden, a water supply point and the organization of a regional fair with lectures, discussions, films and sporting events.

UNESCO, in its observations (T/1012) on educational conditions in the Territory, referred to the increases in school enrolment and in the number of teachers. However, it noted that only 3 per cent of the primary school pupils succeeded in obtaining the primary school certificate and that the entrance examination to secondary schools eliminated over 80 per cent of the candidates. Attention should be drawn to the severity of this elimination, it was felt. In this connexion, UNESCO found that the school systems and curricula, although inspired by those of France and reaching the same level, were tending to be adapted progressively to local conditions; it considered this a most important development. While the need for technical education was considerable, UNESCO stated, it appeared to be the weakest part of the educational system. On the other hand, UNESCO found the developments in fundamental education encouraging and indicated that it would welcome further information on the proposed fundamental education scheme.

The Trusteeship Council, while noting with satisfaction the further progress made in the field of education during 1951, nevertheless considered that an intensified effort should be made, particularly as regards teacher-training, technical and vocational training of workers and adult education. Moreover, the Council recommended, the Administering Authority should give preference to educational facilities in the north as a step towards equalizing educational advancement in the Territory. The Council also noted with interest UNESCO's comments on the Territory's educational advancement and requested the Administering Authority to give them careful consideration.

6. The Ewe and Togoland Unification Problem¹²⁷

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 Colony 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 Northern Territories of 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 Togoland 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)).

The unification question was further considered during the sixth session of the General Assembly. 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

¹²⁷ See also sections on Togoland, Administered by the United Kingdom and Togoland, Administered by France, above, and Y.U.N., 1951, pp. 751-765 & 768.

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 Assembly further recommended that the Trusteeship Council arrange for a special mission to the two Territories or alternatively for its next regular Mission to devote sufficient time to the problem to study it thoroughly, including the functioning of the Joint Council. The Assembly asked that the Mission be directed to submit a detailed report to the Trusteeship Council with specific recommendations taking full account of the real wishes and interests of the peoples concerned. The Trusteeship Council was asked by the Assembly to prepare, in turn, a special report covering all aspects of the problem for submission to the Assembly at its seventh session.

After considering this resolution, 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 leave New York in August so as to arrive in the Territories not later than 1 September 1952, that it 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. The Council later decided on 27 March, by 10 votes to none, with 2 abstentions, that it would send only one Mission to West Africa and that this Mission should visit the two Cameroons as well as the two Togolands. It also decided, on 31 March, that the Mission should leave New York on 20 August and, after spending a month in the two Togolands, should start drafting its report on the Ewe and Togoland unification problem so as to have it completed by 15 October 1952.¹²⁸

The Mission left New York on 18 August, arriving in Togoland under French administration on 21 August. After visiting Lome, from 21 to 25 August, and Accra, Gold Coast, the seat of government of Togoland under United Kingdom administration, from 25 to 28 August, the Mission proceeded to the latter Trust Territory, where it stayed until 9 September, and returned to Togoland under French administration, from 9 to 25 September.

On 25 October 1952, the Mission unanimously adopted its special report to the Trusteeship Council on the Ewe and Togoland unification problem (T/1034 and Add.1).

a. REPORT OF THE VISITING MISSION

In accordance with its terms of reference, the Mission reported, it investigated as thoroughly as it could within the time available to it the three following problems: (a) the demands for unification in its various forms, (b) the Joint Council for Togoland Affairs and (c) the frontier difficulties caused by the international boundary between the two Togolands. Its conclusions on these problems are summarized below.

In addition, the Mission's report indicated, it received a considerable number of oral and written complaints alleging that, in Togoland under French administration, the Administration was taking measures to prevent supporters of the Comité de l'Unité togolaise and the Mouvement de la jeunesse togolaise (Juvento), pro-unification groups in the Territory, from approaching the Mission; that it prohibited the displaying of pro-unification insignia and the shouting of pro-unification slogans; and that it mistreated, arrested and imprisoned supporters of the Comité de l'Unité togolaise and Juvento. The Mission reported that a number of the allegations referred to past events. Others, it stated, were too vague to warrant or permit investigation. The Mission affirmed that, whenever it received a complaint which in its opinion warranted special investigation on the spot, it conducted as thorough an inquiry as it could within the time available; it requested specific observations from the local authorities and questioned the complainants in oral hearings when possible. Although the Mission considered that the questions raised should be dealt with in its general report on Togoland under French administration, it nevertheless annexed to its special report on the unification problem a summary of the most important allegations made and the relevant observations of the local authorities.

(1) Unification

In order to determine the views and real aspirations of the populations of the two Trust Territories regarding unification, the Mission reported, it devoted a large part of its time to conducting oral hearings. In each town it visited and in many villages along its route, it heard leaders of the main political parties, members of representative bodies, traditional chiefs and other individuals. The views of the population were further made known to the Mission through written communications, 2,899 of which were received, concerning the unification question. These, the report stated, were considered by the Mission as

¹²⁸ See also p. 666.

intended for its own information. The Mission indicated that approximately two thirds of the communications were in support of the views of the political parties, representative bodies and traditional chiefs and consisted of very brief signed statements, for example "Unification and Independence"; in one centre, it reported it received 325 such communications within a few minutes. In addition to conducting oral hearings and examining written communications, the Mission attended four mass meetings organized by political parties in Togoland under United Kingdom administration and held full discussions on the unification question with representatives of the local authorities in the two Trust Territories.

After giving an account of what it had seen, heard and learned in the two Togolands, the Mission presented its conclusions and recommendations on the Ewe and Togoland unification problem.

It noted that the request for unification had evolved from the original request by the All-Ewe Conference for Ewe unification to a request for the unification of both Trust Territories. From its findings on the spot, the Mission confirmed that in the south of the two Territories the demand for Togoland unification had become a live political issue with wide support and in certain localities was practically unanimous. The Mission was of the opinion that the general demand for a united Togoland as a political movement was gaining wider recognition in the sense that even the political parties which were in favour of their existing Administering Authorities found it politically wise to state that unification was a paramount wish or that it was equitable.

Thus, according to the Mission, it might be stated that, with the exception of certain groups in Togoland under United Kingdom administration, the people of the Trust Territories desired in principle unification of the two Trust Territories. The exceptions, as referred to by the Mission, were: the peoples of Northern Togoland under United Kingdom administration, where the Mamprusis, Dagombas and Nanumbas (whose tribes were divided between the Northern Territories of the Gold Coast and the Trust Territory) had expressed their desire for incorporation in the Gold Coast; the people of Krachi in the Southern part of the Trust Territory, who desired no change of administration; and several members of the Convention People's Party in some localities.

The fact that unification was desired in principle, however, should not be interpreted to mean

that there was wide support for any one form of unification which would be acceptable to the majority of the inhabitants of the two Trust Territories, the Mission cautioned. The intensity of the demands for unification also differed greatly, the Mission pointed out.

The Mission reported that the All-Ewe Conference, the Togoland Union and its affiliated organizations, in Togoland under United Kingdom administration, and the Comité de l'Unité togolaise and Juvento in Togoland under French administration demanded, in a joint declaration of 22 August 1952, that the Trusteeship Agreements relating to both Togolands be amended forthwith so that the present Administering Authorities transfer to the United Nations the sovereignty they were exercising on behalf of the indigenous inhabitants. The memorandum asked that a United Nations High Commissioner be appointed with full powers of direct administration over the united Territory for a period of five years and made proposals for a five-year programme of accelerated political, social and economic development, at the end of which Togoland would be proclaimed an independent sovereign state.

The Parti togolais du progrès and the Union des chefs et des populations du nord du Togo, in Togoland under French administration, stated that their parties had always favoured the idea of the unification of the two Togolands, the Mission reported. They considered that justice called for the reconstitution of Togoland and that the efforts of all Togolese of good will should be directed towards the discovery of measures of unification which would respect the reciprocal interests acquired by the two parties. In their view, it was logical to integrate United Kingdom-administered Togoland in French-administered Togoland, which was capable of independent existence.

These two political parties requested the Administering Authority: (a) to extend the powers of the Territorial Assembly; (b) to set up an Executive Council; and (c) to promote the increasingly easy access of Togolese to responsible posts.

The Convention People's Party envisaged closer association of Togoland under United Kingdom administration with the Gold Coast but was not necessarily opposed to unification. The Convention People's Party, Southern Togoland region, being fully aware that it was a popular request in Togoland that the two Territories be unified with the ultimate aim of achieving

self-government or independence, still considered the unification of both Togolands as a paramount demand, in so far as it was the expressed wish of the majority of the inhabitants of the two Trust Territories. The Party was strongly opposed to the Togoland Union which sought a unified and independent Togoland without United Kingdom administration. The entry of the Convention People's Party into the politics of Togoland under United Kingdom administration, the Mission observed, was a major factor in the attitude of the inhabitants of this Trust Territory towards the unification problem.

The Mission saw keen political battles being fought by the various political parties using modern campaign techniques. It pointed out that its presence in the Territories caused friction between some political parties which sought to demonstrate their strength and importance by holding mass rallies and by competing with each other in claiming the Mission's attention. In this connexion, the Mission expressed the hope that the leaders of all political parties would conduct their campaigns in such a way as to avoid public disorder and violence. It also reported that in Sokodé (Togoland under French administration), it had received 31 allegedly forged communications supporting the aspirations of one political party and expressed its regret that upon investigation it was found that some signatures were forged.

It was the view of the Mission that in seeking a solution to the unification problem an enlightened and sound public opinion was highly necessary. This depended very much upon the development of the two Trust Territories in the political, economic, social and educational fields, the Mission stated. In this connexion the Mission expressed its satisfaction with the lively and intelligent interest taken by the peoples of both Togolands in the progress and development of their respective Territories. With further advancement of education in the Territories, the Mission felt, the people would be in a position to express their real wishes as to their political future. This would call for an accelerated educational programme on the part of the two Administering Authorities, but it was not only the sole responsibility of the two Administrations, it was also the responsibility of their leaders and of the more advanced sections of the population. In this respect, the Mission considered that the two Territories were in need of political, economic and social stability.

The Mission observed that, in emphasizing the educational approach to the unification problem,

it placed equal emphasis on the political, economic and social advancement of the two Trust Territories. For this reason, the Mission stated, its attention was drawn, not only to mass education schemes and schools, but also to the development of the local representative bodies, dispensaries, hospitals, agricultural research and experimental stations, veterinary services and the building of highways. The Mission was particularly impressed by Achimota University College in the Gold Coast, which was open to students of Togoland under United Kingdom administration, and by the dispensaries, agricultural research and experimental stations and, especially, the new Lome hospital in Togoland under French administration. The Mission stated that it visited the two Trust Territories at an interesting stage of their development, when rapid progress was being made in both Territories in reforming local government. It described as encouraging the progress in the establishment of local representative bodies in both Trust Territories. Having seen some of these bodies in action, the Mission observed that their members were aware of their responsibilities and the problems confronting the areas over which they had jurisdiction and those confronting their individual Territories as a whole.

The Mission concluded, with respect to the Ewe and Togoland unification problem, that, in the time available to it, it was not in a position to find out precisely which unification proposal enjoyed the widest support throughout the two Territories, but from the examination of the large mass of material available to it, it was of the opinion that there was not present in the two Territories wide enough support for any particular form of unification as to warrant alteration of the existing administrative arrangements.

(2) Joint Council for Togoland Affairs

The Mission reported that the Joint Council, composed of fifteen representatives from Togoland under French administration and six from Togoland under United Kingdom administration, was not in session during its stay in the two Territories. However, it had interviews with the Co-Chairmen and certain members of the Council in both Territories, ascertained the position of the main political parties through oral hearings and written communications and discussed the subject with representatives of the local authorities.

The Mission expressed regret that when it was in the Territories the Joint Council was not a working body. This was due, it reported, to the

fact that only twelve representatives out of the 21 envisaged participated in the Council's work. No representatives from Togoland under United Kingdom administration were present and the only representatives from Togoland under French administration were members of the Parti togolais du progrès or the Union des chefs et des populations du nord du Togo. With respect to Togoland under United Kingdom administration, the Mission was informed that the Mamprusi, Dagomba and Nanumba areas did not elect any representative to the Joint Council; that the four remaining members representing the Gonja, Jasikan, Kpandu and Ho areas of the Trust Territory walked out of the Council at the third sitting after making strong protests concerning the lack of parity representation between the representatives from the two Trust Territories; and that no political parties participated in the election of representatives to the Joint Council. With respect to Togoland under French administration, the Mission was further informed that the Comité de l'Unité togolaise refused to send the representative to which it was entitled to the Joint Council and that the representatives of Klouto and Lome walked out of the Council in protest at the third sitting, with the four representatives from Togoland under United Kingdom administration.

The main objections to the Joint Council, the Mission was informed, were that its functions and powers were not broad enough, that the elections were not carried out on the basis of universal suffrage and that the principle of parity representation between the two Territories had not been accepted.

Although it was well aware of the fact that the Joint Council was empowered to discuss all political, economic, social and educational matters of common concern to the two Trust Territories, the Mission was of the opinion that such powers should nevertheless be specifically mentioned in the Council's terms of reference. Furthermore, it believed that the Council, so empowered, possessed the possibility of forming the nucleus of a legislative body for the two Togolands once they achieved self-government.

The Mission recalled the reasons given by the two Administering Authorities for not carrying out the elections to the Council on the basis of adult suffrage, but pointed out that with respect to Togoland under United Kingdom administration, the elections had been on the basis of adult suffrage.¹²⁹ Concerning parity of representation, the Mission recalled that the system of proportional representation had not always been adopted

in the establishment of earlier joint bodies for the two Territories. It observed, moreover, that official participation in such joint bodies had diminished and that, until the last Council was established, the number of seats allotted to the two Trust Territories had never depended on the population figures of the two Territories.

The Mission recalled that both Administering Authorities showed evidence of willingness to make the work of the Joint Council successful by making funds and technical assistance available to it for development projects of concern to the two Trust Territories. It further pointed out that the Administering Authorities, all interested groups and political parties, with the exception of the Togoland Union and of the Mamprusi, Dagomba and Nanumba peoples in Northern Togoland under United Kingdom administration, stated that they were in general agreement that the Joint Council might be a valuable institution which could advise the Administering Authorities on matters of common concern to the two Trust Territories and could assist in harmonizing developments in the Territories. The Mission endorsed this view. It was aware that the full cooperation of both the Administering Authorities and of the political parties concerned was required for the Joint Council to become a properly functioning body which might solve political questions as well as alleviate frontier difficulties. It pointed out, however, that it was unable, after completing its visit to the two Territories, to discuss with the Administering Authorities and the parties concerned the possibility of gaining general agreement on the modifications required to make the Council an effective body. Recalling the General Assembly's recommendations (see above) on the extension of the Joint Council's functions and powers and on the procedures for electing the Council's representatives, the Mission suggested that the Administering Authorities, in order to enable the Council to operate efficiently in the future, should consult fully with each other and the representatives of the people concerned on the possible modifications which might be made in the Council to give general satisfaction to all concerned. Finally, the Mission expressed the hope that the Administering Authorities would assist in bringing about the necessary adjustments for the well-being of the peoples of both Trust Territories.

¹²⁹ The United Kingdom later pointed out, in its observations (T/1039) on the Mission's report, that it would be more strictly correct to describe the suffrage system as "a system virtually amounting to" adult suffrage.

(3) Frontier Problems

The Mission reported that it gave the most careful attention to the frontier difficulties caused by the international boundary between the two Togolands. It visited the headquarters of the customs services in both Territories, and the main customs posts, questioning the officers in charge, and consulting the customs seizure books. The Mission also sought the views of the inhabitants along the frontier and considered complaints regarding frontier difficulties.

It expressed the opinion that the frontier problem was not an economic but a political one and indicated that it was aware of the psychological effect which the existence of the boundary had created. In this regard, the Mission noted a statement by the Administering Authorities that no significant complaints of frontier difficulties were brought to their notice in 1951 and concluded that the frontier problems were in fact of secondary consideration and of no great significance. The real problem, in the Mission's opinion, was the very existence of the frontier, and that would depend on the solution of the unification problem.

While noting that much had been done by the Administering Authorities during recent years to satisfy the wishes of the people on both sides of the boundary, the Mission saw scope for further action. The complaints arising, the Mission stated, came mainly from the Southern areas, where nearly all the frontier posts were concentrated. The Mission was satisfied that no difficulties were experienced by persons wishing to cross the frontier. Its attention was drawn, however, to restrictions placed on the transport of certain goods across the frontier, particularly cocoa and coffee, and on the taking of currency from one Territory to the other. The Mission suggested that the Administering Authorities consider the possibility of abolishing restrictions on the transport of consumer goods such as sugar, salt and kerosene, of alleviating customs restrictions on manufactured goods, such as cotton piece goods and bicycles, and of increasing the amounts of their respective currencies allowed to be taken over the frontier. It further suggested that the Administering Authorities consider amending the provisions whereby lorries from Togoland under United Kingdom administration were prohibited from proceeding along certain roads in Togoland under French administration and from remaining there for more than 24 hours. Moreover, the Mission considered that more roads between the two Territories might be constructed and existing ones improved. It also made suggestions with respect to the operation of the frontier posts.

b. CONSIDERATION BY THE TRUSTEESHIP COUNCIL

The Visiting Mission's special report on the Ewe and Togoland unification problem (T/1034 and Add.1) was considered by the Trusteeship Council at the 457th and 458th meetings of the second part of its eleventh session, on 24 and 25 November 1952.

The representative of the United Kingdom pointed out that his Government, as Administering Authority for one of the Trust Territories, had not yet been able to come to definite conclusions on the Mission's report, which he felt merited very thorough study by the Administering Authorities. In his opinion, one fact clearly emerged from the report—that "unification" was interpreted in several different ways and that no single unification programme would be supported by a majority in either Territory. In general, he stated, the United Kingdom would be disposed to endorse the Mission's conclusions. While the Council would obviously be unable to record any definite opinion without hearing the views of the Administering Authorities on the substance of the problem, he suggested, it might acknowledge the value of the Mission's report, give general endorsement to the conclusions, and ask the Administering Authorities to give the report their urgent attention.

The representative of France observed that it might be said, subject to a more detailed study of the report, that the Mission had reached the fundamental conclusion that no magical formula existed for the settlement of the unification problem. The question should be dealt with impartially and unhurriedly, he said, in compliance with the Charter and the peoples' wishes. A final and immediate solution would only hinder the peoples' free development. The Trusteeship Council should seek first to promote the peoples' advancement until they were prepared to choose the solution best befitting their interests. France was willing to increase further the share of the indigenous people in the administration of the affairs of Togoland under French administration, and both the United Kingdom and France had started negotiations to reduce the obstacles separating the two Togolands.

The representatives of Belgium and New Zealand also cautioned against hasty action on the unification problem. The latter, in addition, congratulated the Administering Authorities on setting up the Joint Council on Togoland Affairs, but felt that the failure of certain members to co-

operate in the work of that Council would merely make the unification of Togoland more difficult.

The representative of the United States expressed the view that the Trusteeship Council should approve the broad outlines of the Mission's conclusions, and he introduced a draft resolution (T/L.332) to that effect.

The USSR representative stated that his delegation categorically opposed the Mission's conclusions. In particular, it was unable to accept the Mission's conclusion that no one form of unification had received sufficient support to justify a modification of the status quo; it was obvious from the Mission's own report, the USSR representative added, that the overwhelming majority in the two Territories favoured unification in the form of independence in a period of five years and the United Nations must meet the wishes of the people. The USSR representative also opposed the United States draft resolution which, he stated, advocated the maintenance of the status quo. Moreover, he contended, the United States, by stating in its draft resolution that the Joint Council for Togoland Affairs "might be" a valuable institution, was trying to divert the Trusteeship Council's attention from the fact that this body, because of its membership and existing powers, served no useful purpose. The Mission's statement that frontier difficulties were of secondary importance, the USSR representative argued, was belied by the complaints sent in by many petitioners and could only be intended to minimize the importance of unification.

The representative of Iraq recalled that ever since the Trusteeship Council had taken up the unification problem in 1947, his delegation had felt that the desire of the Ewe people for national unification was not only legitimate but represented a force in the two Territories which could not be disregarded if peace was to be maintained and the objectives of the Charter realized. Later developments had only confirmed that view and a genuine solution to the problem must be found. The Mission's final conclusions, the representative of Iraq considered, were somewhat baffling since the Mission's findings bore out the desire of the population as a whole for unification. The Mission's statement that it had not been in a position in the time available to it to find out precisely which unification proposal enjoyed the widest support appeared to indicate that it had failed to realize the importance of its task and responsibilities. The delegation of Iraq would abstain from voting on the unification question, however, since Iraq's term of membership in the Council expired at the end of 1952,

and the question would be further considered in the Fourth Committee, when representatives of the Ewe people would be heard, the representative of Iraq explained.

The representative of China expressed regret that the Mission had been unable, for lack of time, to study the unification problem thoroughly and to make specific proposals for its solution. He explained that his delegation, although endorsing the findings set out in the Mission's report, considered that the Mission should have remained longer in the Territories.

Pointing out that, according to the Mission's report, the people of the southern part of both Trust Territories desired unification and that in certain areas that desire was unanimous, the representative of El Salvador maintained that all Members of the United Nations should try to find a solution which would satisfy the aspirations of the peoples of the two Trust Territories. The United Nations, not the peoples, he stated, should decide which form of unification best suited the Territories. As the peoples did not wish to remain divided, the United Nations must find a way to satisfy their aspirations, if necessary by organizing a plebiscite.

On the other hand, it was argued by the representative of Australia that the Trusteeship Council's task was to aid the two Administering Authorities and the leaders of the people to work out a solution of the problem rather than to impose any particular solution. He expressed his support of the United States draft resolution.

Three amendments (T/SR.458) to the United States draft resolution were submitted jointly by China and El Salvador.

The first of these would refer to the Mission's opinion that the demand for the unification of the two Togolands as a political movement was gaining wider recognition. In principle, this was accepted by the United States, and it was agreed to substitute such a statement in the existing second paragraph of the substantive part of the draft resolution (see below), in place of a statement to the effect that the people desired such unification in principle.

The second would note that the majority of the communications received by the Mission requested the immediate unification of the two Territories under United Nations administration. Reference was made by the representative of Australia, however, to the Mission's statement that it had considered communications as intended for its own information. He further observed that the Mission had not formulated any conclusions on the

specific question of unification under United Nations administration and contended that it would certainly have done so if it had had the necessary data on which to base such conclusions. The representative of China then proposed that the amendment refer only to the "unification and independence of the two Territories" and this was accepted by the United States representative, who stated that in his opinion there was no doubt that most of the communications favoured unification and independence. Following objections by France, New Zealand and Belgium to the undue importance attached to written communications, the United States put forward a proposal, accepted by China, to specify in the amendment that no general consultation of the population had been made. The representatives of Australia, Belgium and France again expressed their opposition to the amendment as now altered. Put to the vote at the 458th meeting of the Council on 25 November, the amendment was adopted by 5 votes to 4, with 3 abstentions (see the third operative paragraph, below).

The third joint amendment proposed by China and El Salvador would add, before a reference in the United States draft resolution to the Mission's conclusion that there was not enough support for any particular form of unification to warrant changing existing arrangements, a statement noting that in the time available to it the Mission was not in a position to find out precisely which unification proposal enjoyed the widest support throughout the two Territories. A United States proposal, accepted by China, that the text of the relevant statement by the Mission be included instead was adopted by the Council by 7 votes to 1, with 4 abstentions (see the fourth operative paragraph below). The representative of Australia explained that he had abstained from voting on this paragraph because it implied that the Mission had not made a sufficiently thorough study.

The United States draft resolution as a whole was adopted, as amended, by 7 votes to 2, with 3 abstentions, at the 458th meeting of the Council on 25 November 1952.

The resolution (643 (XI)) read:

"The Trusteeship Council,

"Recalling General Assembly resolution 555 (VI), which recommended, *inter alia*, that the Trusteeship Council arrange for the dispatch of either a special mission or its next periodic Visiting Mission to the two Trust Territories concerned to study thoroughly the Ewe and Togoland unification problem, including the functioning of the proposed Joint Council and submit to the Trusteeship Council a detailed report thereon, including specific recommendations, which shall take

full account of the real wishes and interests of the peoples concerned,

"Recalling further that resolution 555 (VI) requested the Trusteeship Council to submit to the General Assembly at its seventh regular session a special report covering all aspects of the problem,

"Recalling its resolutions 424 (X) and 465 (XI) by which it decided to entrust the investigation of this problem to its next periodic Visiting Mission to the Trust Territories concerned, established the Visiting Mission's time-table, and requested it to submit a special report on the problem in time for consideration at a second part of its eleventh session,

"Having taken note of the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem submitted in accordance with its resolutions 424(X) and 465(XI),

"1. Considers that this report represents an objective and detailed account of all aspects of the problem, and carefully sets forth the views of all sections of the population;

"2. Notes the Mission's conclusion that with certain exceptions, especially the peoples of the Northern Section of Togoland under British administration, the general demand for the unification of the two Togolands is gaining wider recognition, but that there is no one form of unification which would be acceptable to the majority of the inhabitants of the two Territories;

"3. Notes also that, although no general consultation of the population was made, the majority of the written communications received by the Mission were in favour of unification and independence;

"4. Notes that, in the time available to it, the Mission was not in a position to find out precisely which unification proposal enjoyed the widest support throughout the two Territories, but that, from the examination of the large mass of material available to it, it was of the opinion that there is not present in the two Territories wide enough support for any particular form of unification as to warrant alteration of the existing administrative arrangements;

"5. Notes the view of the Mission that in seeking a solution to the unification problem an enlightened and sound public opinion is highly necessary and the mission's consequent emphasis on an accelerated educational approach to the problem, as well as on the need for stable development in the political, economic and social fields, requiring unremitting efforts on the part of both the Administering Authorities and the more advanced sections of the populations;

"6. Notes with satisfaction that the view is widely held in the Territories that the Joint Council might be a valuable institution which could advise the Administering Authorities on matters of common concern to the two Trust Territories and could assist in harmonizing developments in the Territories;

"7. Concurs with the opinion of the Mission that the terms of reference of the Joint Council should specifically provide that the Council is empowered to discuss all political, economic, social and educational matters of common concern to the two Trust Territories;

"8. Invites the Administering Authorities to consult with each other and with the representatives of the peoples concerned with a view to bringing about possible modifications in the composition, functioning and powers of the Joint Council, necessary to realize its full potentialities;

Non-Self-Governing Territories and Trusteeship Questions

"9. Notes the Mission's conclusions that frontier difficulties are of secondary importance, that much has been done to eliminate or alleviate such difficulties, that there is scope for further action in this regard, as well as certain suggestions made by the Mission in this connexion;

"10. Considers that, in so far as the political aspects of this frontier problem are concerned, the primary responsibility of the Administering Authorities is not so much the devising of a solution as the development of such democratic indigenous institutions in both Territories that the various peoples involved can choose their own political associations; also that the Administering Authorities have in the meanwhile the responsibility to provide opportunities for co-operation between groups having common ties, even when they are separated by political boundaries;

"11. Considers that the indigenous leaders and the more advanced sections of the population can make an indispensable contribution to the effective realization of the popular will in this matter by devoting their best efforts to creating the conditions requisite to its exercise;

"12. Commends the report of the Visiting Mission, and especially its conclusions and recommendations, to the Administering Authorities and the inhabitants of the two Trust Territories concerned as a sound basis for working out political institutions that will permit the fullest self-expression of the various peoples involved within a framework of co-operation;

"13. Requests the Administering Authorities to report fully to the Council in advance of the next session of the General Assembly on all steps taken by them pursuant to this report;

"14. Transmits the Visiting Mission's report, along with this resolution, to the General Assembly as representing not only an objective appraisal of the diverse aspects of this problem but also suggesting the soundest approach to its solution consonant with the present diversity of views of the inhabitants of the two Trust Territories concerned."

As noted above, the Council had been asked by General Assembly resolution 555(VI) to submit a special report on all aspects of the Ewe and Togoland unification problem. A draft special report (T/L.334) informing the Assembly of the resolution adopted by the Council and transmitting the Mission's report on the unification problem was considered by the Council at its 459th and 460th meetings on 2 and 3 December. Proposals by the USSR representative—to insert in the special report (1) a statement (T/L.335) of views expressed by his delegation during the debate on the Mission's report, (2) the vote on the Council's resolution and (3) a statement that this resolution was adopted on the proposal of the United States—were rejected by the Council by 7 votes to 1, with 1 abstention, 9 votes to 1, and 8 votes to 1, with 1 abstention, respectively. It was decided, however, to append to the Council's special report a statement of the minority views of the representative of the USSR as follows:

"During the debate on the Visiting Mission's report, the representative of the USSR objected to

the conclusions of the report and observed that the statements and memoranda of the most influential parties of Togoland, and the 2,479 individual petitions received by the Mission, proved that the vast majority of the Ewe people demand the unification of the Territories of Togoland and independence for their people.

"The representative of the USSR declared that he would vote against the draft resolution presented in connexion with the question under discussion, in so far as the resolution approves the conclusions of the Visiting Mission to Togoland, which are unacceptable to the delegation of the USSR."

The representative of the USSR informed the Council that he nevertheless intended to vote against the draft special report because it did not give an accurate account of the Council's discussions, did not specify the number of votes by which resolution 643(XI) had been adopted, and did not state the objections that some delegations had raised in that connexion.

The Council adopted its special report to the Assembly by 7 votes to 1, with 2 abstentions, at its 460th meeting on 3 December 1952 (A/2289).

c. CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS SEVENTH SESSION

The special report of the Trusteeship Council on the Ewe and Togoland unification problem (A/2289) to the Assembly's seventh session was referred to the Fourth Committee, which considered it at the 300th to 308th meetings from 10 to 16 December.

(1) Consideration by the fourth Committee

Before discussing the Council's special report, the Fourth Committee considered requests for permission to make oral presentations to the Committee on the matter under consideration. At its 252nd, 263rd and 279th meetings, on 22 October, 4 and 19 November, it granted the requests. By a roll-call vote of 41 to 7, with 4 abstentions, it acceded to the request of the All-Ewe Conference. By a roll-call vote of 39 to 9, with 6 abstentions, the Committee decided to hear representatives of the Joint Togoland Congress, after rejecting, by a roll-call vote of 30 to 15, with 8 abstentions, an oral proposal by the United Kingdom that the Congress should be requested to address itself to the Trusteeship Council in the first instance. The Committee decided, without objection, to hear representatives of the Union des chefs et des populations du nord du Togo and the Parti togolais du progrès.

In addition to the special report of the Council, the Committee had before it, during its consideration of the question, the special report of the Visiting Mission (T/1034). In accordance with its decision at its 302nd meeting on 11 December, it also had before it an extract (A/C.4/223) from the memorandum of the All-Ewe Conference.¹³⁰

The Committee also had before it the observations of the United Kingdom (T/1039) on the Mission's report. These observations were transmitted to the Secretariat by letter of 9 December 1952.

The United Kingdom stated that it was impressed with the care and thoroughness of the Mission's investigations and its realistic and practical approach to its task. It considered that the Mission's report provided a valuable resume of the development of the unification question and an objective account of the state of opinion in Togoland under United Kingdom administration. In this connexion, it observed, the Mission's report revealed that about half the people of the Trust Territory actively desired integration in the Gold Coast; a further substantial number rejected unification of the two Trust Territories in any form; and, of the remainder, those who supported immediate unification of the Trust Territories, while vocal and active in propagating their views, found themselves in opposition, sometimes extending to violence, to a similarly vocal faction which considered unification a fairly long-term policy to be achieved with the assistance of the neighbouring Gold Coast. In the view of the United Kingdom, public opinion in the Trust Territory was not yet sufficiently clear as to the Territory's future to render it wise or right to take any steps at that stage committing the peoples of the Territory, perhaps irrevocably, to any future political organization. It could be clearly deduced from the Mission's report, the United Kingdom emphasized, that the people were not agreed, in principle or even in any expressed sentiment, as to what the future of their Territory should be.

The United Kingdom pointed out that it found itself in substantial agreement with the conclusions and suggestions made by the Mission and that it was prepared to accept those suggestions as a constructive contribution to assisting the peoples of the Togoland under United Kingdom administration to work out their own future by acquiring experience in the management of their own affairs.

(a) STATEMENTS BY THE PETITIONERS

At its 300th meeting on 10 December, the Committee heard statements by Silvanus Olympio, representing the All-Ewe Conference, and by

S. G. Antor and A. K. Odame, both representing the Joint Togoland Congress.¹³¹ At the 301st and 302nd meetings on 11 December, the representatives replied to questions of members of the Committee.

At the 304th and 305th meetings on 12 and 13 December, S. K. Kpodar, representing the Parti togolais du progrès and the Union des chefs du nord du Togo, made statements and replied to questions of members of the Committee.

Mr. Olympio told the Committee that, in January 1952, he had been asked by his party, the Comité de l'Unité togolaise, to tour the Ewe country and report on the action taken in connexion with the Ewe and Togoland unification problem by the General Assembly, whose sessions he had attended. In the French zone everything had been done by the local administration to make this tour difficult.

In March, he asserted, one of the most active secretaries of his party had been arrested, together with three others, on charges of spreading false news. In May, police broke into houses by night and conducted searches without warrants: men were arrested, locked in small cells for two days without water, then given a paper withdrawing their membership from the party, which they were told to sign. In August, a country-wide search of the houses of several active members of the unification movement was carried out. All documents and papers, including petitions prepared for the Trusteeship Council's Visiting Mission, were seized.

For the arrival of the Visiting Mission, in August, his party began to prepare for a big welcome rally which would confirm publicly to the Mission the ardent wish of the Ewe people to be united. The Governor of Togoland under French administration, however, warned that all public demonstrations were punishable by law, and the Administration began a process of intimidation designed to have the rally called off. To this end, military exercises were held within the perimeter of the town of Lome.

Mr. Olympio told the Committee that, at 3 a.m. on 21 August, the day the Mission was expected to arrive, police were out on all the main streets leading to the airport. They tore down banners from houses and called on house-

¹³⁰ See p. 711.

¹³¹ At the 313th meeting on 19 December, after the Committee had concluded its discussion, Mr. Anku-Morny and Mr. Mbimadong, also representing the Joint Togoland Congress, made statements in which they thanked the Committee for giving consideration to the problems of Togoland.

holders to remove all unification slogans or signs of welcome from their walls. A double cordon of military personnel and gendarmes surrounded the airport and only about twenty of his party were allowed to reach it and stand outside the reception hall. The official cars were driven direct to the landing strip to prevent access to the Mission by the twenty men waiting. The procession route through the town was changed suddenly to avoid the crowd in the centre of the town and to bypass Government House. Truckloads of military units and gendarmes then arrived and attacked the crowds. For days afterwards military cars patrolled the streets, breaking up all gatherings. Householders were thrashed for writing "ablude" (freedom) on their walls.

Measures to prevent access to the Mission were taken in many parts of the Territory, Mr. Olympio alleged. He charged that these acts of intimidation and reprisal were calculated to make impossible an appraisal by the Mission of the strength and vigour of the unification movement. The Mission, however, could not ignore the fact that the majority of the Ewe people desired unification, he said.

The Ewe were a responsible people, placing their only hope of unification in the self-government or independence promised by the Charter of the United Nations, to which they now renewed their appeal. He asked the United Nations to grant independence to the Ewe people after a fixed period, which he suggested might be five years; during that time the Ewe country should be administered by a United Nations High Commissioner.

Mr. Antor said that his organization, the Joint Togoland Congress, had brought together all the political parties in Togoland under United Kingdom administration, comprising 295,000 members.

The Visiting Mission, he claimed, was unable during its ten-day stay in the Territory to meet any political party though some representatives did manage to meet the Mission despite the unco-operative attitude of the Administering Authority.

The independence and unification of Togoland was the one objective of the Congress, he said. Against the will of the majority, the Administering Authority had steadily been annexing British Togoland to the Gold Coast. Togoland would not be opposed in other circumstances to being associated with the Gold Coast in the march to self-government, provided there were certain guarantees, but the Ewe people on the French side of the frontier had to be considered. While it was

the responsibility of the General Assembly to see that the separate status and identity of the Trust Territory of Togoland under United Kingdom administration was maintained, he said, the process of absorption by means of the administrative union was going on day after day and by one ordinance after another. The Visiting Mission was unable to achieve the purpose for which it had been sent; nevertheless, its report showed that the overwhelming majority of indigenous inhabitants in the Trust Territories wanted immediate reunification under direct United Nations administration for five years. The demand was for reunification. The manner in which this should be brought about was the business of the General Assembly.

Mr. Odame, also representing the Togoland Congress, charged that the Joint Council for Togoland Affairs, set up by the Administering Authorities primarily for harmonizing development policy in the two Trust Territories, had been deliberately rendered unworkable in order that it would be possible to contend that the people of Togoland lacked the maturity to handle their own affairs.

He contended, however, that, had the directives of the General Assembly been followed regarding the composition of the Joint Council and its functions, the Council could have achieved useful work.

The Administering Authorities had rejected demands for direct election of representatives and for equal representation for the two Territories on the Council. Its terms of reference had been whittled down, although the Assembly had specifically recommended their extension to consideration of all aspects of the unification question.

He supported charges of intimidation, arrests and attempts in French-administered Togoland to prevent contact with the Visiting Mission. The people desired unification but continuing obstruction under the current administration led them to ask that the two Territories be placed for a fixed period under direct United Nations administration until independence was granted.

Mr. Kpodar, representative of the Union des chefs du nord and Parti togolais du progrès said that he was not opposed to the unification of the two Trust Territories of Togoland, one under British administration and the other under French administration, but he considered that such unification should take place under French administration. The French-administered Trust Territory, he claimed, was more solid in its economic foundation and the only real independence was economic independence. The inhabitants of Togoland under

French administration were prepared to accept some limitations of independence for the sake of the benefits of collectivity within the French Union. The framework of the French Union was sufficiently flexible to enable them to enjoy their aspirations. The vast majority wanted to live in peace within that framework.

He alleged that the All-Ewe Conference had committed acts of violence and disorder. Their proposal for the unification of the Ewe people was not shared by the majority in French-administered Togoland, particularly in the north. The Conference had changed its aim from one of the unification of the Ewe people to that of the unification of the two Togolands because it found that it no longer enjoyed popular support. Its real aim, he contended, was to achieve integration with the Gold Coast Colony.

Mr. Kpodar said that the two affiliated parties which he represented made up between 85 and 90 per cent of the total population. They did not support unification of the Ewe people; they wanted unification of the two Trust Territories of Togoland, training—under French administration—in self-government and progress towards independence. The people he represented hoped that the General Assembly would find an equitable solution to the problem. Economic independence was a prerequisite of political independence, and his people were eager to develop their productive capacity and markets for the goods produced. While big Powers were attempting to close their ranks and were agreeing to relinquish part of their sovereignty in federation, it would be Utopian to think that a very small state would survive on its own. Independence was compatible with membership of the French Union, he said.

Mr. Kpodar added that there had been all opportunities for contact with the Visiting Mission during its stay in French Togoland.

(b) STATEMENTS BY THE ADMINISTERING AUTHORITIES

At the 302nd and 303rd meetings on 11 and 12 December, statements were made by the representatives of the United Kingdom and France, Administering Authorities for the two Togolands.

The representative of the United Kingdom said that any proposal to amend the Trusteeship Agreements to establish a unified Togoland as a separate entity would be actively opposed by three quarters of the people of Togoland under British administration and that the United Kingdom could not possibly accept such a solution to the Ewe and Togoland unification problem. It was apparent beyond all doubt that about half the people of

Togoland under United Kingdom administration desired complete integration with the Gold Coast. A further substantial number rejected unification—in any form—of that Trust Territory with the Trust Territory of Togoland under French administration. Of the remainder supporting unification, some found themselves in opposition, sometimes extending to violence, with a similarly active section of the population which considered unification to be a long-term policy to be achieved, if possible and desirable, without prejudice to continued close association with the neighbouring territory of the Gold Coast.

He added that the observations made by Mr. Antor had already been answered to a large extent by the observations of the United Kingdom Government on the special report on the Ewe and Togoland unification problem (T/1039). He rejected the contention of Mr. Antor that his party represented majority opinion throughout Togoland under United Kingdom administration. Moreover, the report of the Visiting Mission showed that it had received the fullest possible impression of the wishes and aspirations of the various parties and sections of the community in Togoland under British administration.

The Mission had concluded that northern Togoland under United Kingdom administration was strongly opposed to unification of the two Trust Territories and desired integration with the Gold Coast as soon as possible. This was the view of about half the total population. In the southern half of the Territory, unification of the two Togolands was opposed by the majority of the non-Ewe people. In the Ewe areas, the majority of the views recorded by the Mission in support of unification urged unification of the administration with the Gold Coast. The advocates of unification of the two Trust Territories in the Southern Section of British Togoland were sharply divided among themselves.

The United Kingdom representative considered that the failure of the Joint Council had been solely due to the refusal to give it a chance to fulfil its terms of reference, which were adequate.

The representative of France said that the Visiting Mission had had sufficient time to study the unification problem and that its report truthfully reflected the trends in the Territories. Its conclusions showed that the Ewe question was a real issue only within the United Nations and not in the Territories themselves. Three quarters of the population was hostile to the unification of the Ewes; they favoured the unification of the two Togolands, but not at the cost of absorption

by a powerful neighbour. The majority rejected a form of trusteeship under the United Nations as against common sense and normal evolution. The possibility of giving more responsibility to the indigenous inhabitants of French Togoland was being considered and the only obstacle was the qualifications of the nominees.

He said that Togoland was prepared to sacrifice a certain amount of independence for the benefits to be derived from becoming a part of the French Union, within which the Territory could achieve economic independence—the only genuine independence. Togoland would appreciate an increased emphasis on economic and social development more than political powers which they could not properly exercise.

The movement for unification of the Ewe people, which, he stated, had been losing ground, had been broadened to involve the question of the unification of the two Togolands, in order to attract the attention of the United Nations. While all in Togoland were working for emancipation with self-government or independence the goal, they could not see the evolution of their country sacrificed to dreams of political independence. Temptation had been afforded those who wished merely to make personal publicity by the visit of Trusteeship Council Missions and international discussions within the General Assembly.

The representative of France stated further that the representatives of his Government in Togoland under French administration had desired to give the Mission complete freedom for their work. The Mission, however, had exercised elementary prudence and elementary good sense in not accepting an invitation to attend a rally which had been designed merely to exploit its presence for propaganda.

The French Parliament had done much in the interests of the people of Togoland. He claimed that agitation by the All-Ewe Conference clouded the benefits of French administration of the Trust Territory. Any refusal to participate in the proceedings of the Joint Council for Togoland Affairs on the grounds of disparity of representation constituted a rejection of an elementary principle of democracy—that majority interests should have majority representation.

(c) DISCUSSION IN THE FOURTH COMMITTEE

At its 305th to 308th meetings, from 13 to 16 December, the Fourth Committee held a general debate on the Ewe question.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland and the USSR felt that

the question involved the right of the Ewe people to existence, to self-determination and to independence. These representatives claimed that the artificial division of the Ewe people was obstructing their development in economic, social and cultural fields, contrary to the interests of the people themselves and to the principles of the United Nations Charter. The Administering Authorities were conducting a policy of attempting to divide and destroy this people. This policy of colonialism had been intensified during the last six years.

These representatives criticized the conclusions reached in the special report of the Visiting Mission. They asserted that the Mission had not devoted sufficient time to the study of the problem; that the Administering Authorities had taken measures of intimidation before the arrival of the Mission; that the Administering Authorities, further, encouraged organizations which represented the views of the colonial Powers and suppressed those which did not; and that the Mission itself refused all contact with the people to learn their wishes, adopting a subjective attitude in harmony with the policy of discrimination and thus becoming the mouthpiece of the Administering Authorities.

The representatives of Canada and New Zealand expressed the view that although the problems were manifold, responsibility for taking practical measures to meet those problems rested with the Administering Authorities. The representative of New Zealand said that an enlightened public opinion in the two Territories was essential to the solution of the problem of unification.

The representative of Venezuela, on the other hand, felt that, however eager the Administering Authorities might be to develop the economies of the Territories, their means were much less than those which international co-operation could furnish to an independent State. He advocated that the two Administering Authorities should concert their policies and endeavour to agree on a common attitude towards the administration of the two Territories, conforming to the principles and purposes of the Charter and to the Trusteeship Agreements.

The representative of Israel said that although the Committee had the warmest sympathy for the rightful aspirations of the Togoland, they should give proof of their political maturity. He suggested that their desire for unification might be demonstrated further by setting up joint voluntary institutions of an economic, social and cultural nature.

The representatives of Brazil, Guatemala, Indonesia, Iraq, Mexico, Syria, the United States and Yugoslavia were among those who also participated in the general debate. They made formal proposals for consideration by the Committee (see below).

(d) PROPOSALS BEFORE THE FOURTH COMMITTEE

A number of draft resolutions and amendments were presented to the Fourth Committee.

At the 306th meeting on 17 December, the United States introduced a draft resolution (A/C.4/L.256) whereby the General Assembly would:

(1) continue to urge, as set out in its resolution 555 (VI), that the two Administering Authorities concerned and the peoples involved should exert every effort to achieve a prompt, constructive and equitable settlement of the problem, taking fully into account the freely expressed wishes of the people concerned;

(2) express regret that the consultations undertaken by the Administering Authorities did not achieve the purpose set forth in that resolution, inasmuch as the election procedures devised did not result in the participation of all of the major groups in the two Trust Territories;

(3) recommend that the two Administering Authorities should carry on full and extensive consultations with the principal political parties in the two Territories and make every effort to bring about the re-establishment of the Joint Council for Togoland Affairs, or a similar body, on a basis which would enlist the co-operation of all major segments of the population so that it might be an effective and representative organ for the consideration, under broad terms of reference, of the common problems of the two Territories;

(4) urge all the principal parties in the two Territories to make every effort to assist constructively in these consultations;

(5) urge the two Administering Authorities to intensify their efforts to bring about the more rapid evolution of the northern parts of both Territories so that the peoples of these sections would be better qualified to play their role and express their views in the political development of the Territories;

(6) recommend that the two Administering Authorities concerned should examine further all the frontier difficulties complained of in the various petitions and communications on this matter sent to the Trusteeship Council and the Visiting Mission and that they should take all possible steps to reduce or eliminate them;

(7) note the view set forth in the observations of the United Kingdom (T/1039) that "during this period of trust the Administering Authority must provide political institutions, systems of education and information, and freedom of speech and political activity, which will enable the various political parties to place their programmes before the people of the Trust Territory and, by democratic methods, to seek to enlist the support of a majority of that people";

(8) recall statements of representatives of France in the Trusteeship Council and the General Assembly to the effect that it was the policy of their Government to promote the development of representative political institutions and democratic political activity in the Trust Territories under French administration and that the people of these Territories would, when the period

of trusteeship came to an end, have full freedom of choice as to the future political status of these Territories, whether in association with another political entity or otherwise;

(9) express its conviction that the implementation of such policies would provide conditions in which the inhabitants of the Trust Territories could determine their own political destiny;

(10) note that resolution 643 (XI), adopted at the eleventh session of the Trusteeship Council, requested the Administering Authorities to report fully to the Council in advance of the eighth session of the General Assembly on all steps taken by them pursuant to the special report of the 1952 Visiting Mission; and

(11) request the Administering Authorities to include in such reports steps taken by them pursuant to this resolution, as well as a full account of all factors affecting the unification question.

At the 308th meeting on 16 December, the United States submitted a revised draft resolution (A/C.4/L.256/Rev.1), which was further modified during the discussion. In its final form, the United States draft:

(1) Incorporated, as a paragraph of the revised draft, a draft resolution by Mexico (A/C.4/L.262), whereby the Assembly would invite the two Administering Authorities to give increasing attention to the possibilities of promoting and expediting the general development of the two Togolands through the United Nations Expanded Programme of technical assistance.

(2) Incorporated a Syrian amendment (A/C.4/L.263), whereby the Trusteeship Council would be requested to submit to the ninth session of the General Assembly a special report on the implementation by the Administering Authorities concerned of the current resolution and on the action taken by the Trusteeship Council in this connexion.

(3) Incorporated three further proposals, introduced by the United States representative himself:

(a) a paragraph recommending that the terms of reference of the Joint Council should enable it to make recommendations upon all political, economic, social and educational matters affecting the two Trust Territories, including the question of the unification of the two Territories; that membership of this body should fully reflect the views of all major groups in those Territories; and that any elections to this body should be conducted on a free and democratic basis;

(b) a paragraph, to which the sponsor accepted an oral drafting amendment by Iraq, recommending that the Administering Authorities take steps to promote common policies on political, economic and social matters of mutual concern to the two Trust Territories; and

(c) a revised paragraph to state that the Assembly considered that freedom of choice should be exercised through accepted democratic processes, in place of a paragraph which would express the Assembly's conviction that the implementation of the declared policies of the Administering Authorities would provide conditions in which the inhabitants of the Trust Territories could determine their own political destiny.

In the light of the revision of the original United States draft, two parts of a joint amendment by Brazil, Burma, Egypt, El Salvador, India,

Indonesia, Iraq, Liberia, Pakistan and Yugoslavia (A/C.4/L.260) were withdrawn by the sponsors. The first would have recommended to the Administering Authorities that they extend the terms of reference of the Joint Council to enable it specifically and freely to discuss and make recommendations upon all political, economic, social and educational matters affecting the two Trust Territories, including the question of the unification of the two Territories. The other would have added a stipulation that accepted democratic processes should be the means by which the people in the Trust Territories should choose their future political status when the period of trusteeship came to an end.

When the Committee proceeded to vote, two amendments to the modified United States revised draft resolution remained:

(1) An amendment by Brazil, Burma, Egypt, El Salvador, India, Indonesia, Iraq, Liberia, Pakistan and Yugoslavia (A/C.4/L.260), whereby the Assembly would recommend that the Administering Authorities, with a view to bringing about modification in the composition, functioning and powers of the Joint Council indispensable to the realization of its full potentialities, reconstitute the joint Council by means of direct elections on the basis of universal adult suffrage exercised by secret ballot,

(2) An amendment by Guatemala (A/C.4/L.258) which would:

(a) Add to the preamble a statement that the Assembly bore in mind that the unification of the two Togolands was the manifest aspiration of all sections of the population of both Trust Territories (the representative of Guatemala later amended the text to read "the majority", instead of "all sections" of the population); and

(b) to add to the operative part a request to the Administering Authorities to enter into negotiations with a view to revising the Trusteeship Agreements relating to the two Togolands, with the object of making possible the unification of these two Territories under a single trusteeship administration, and to report to the Trusteeship Council on the outcome of their negotiations. (The representative of Guatemala, who had proposed this part of his amendment as a substitute for parts of the United States draft, accepted an oral suggestion that it be added, instead, to the United States draft).

(c) STATEMENTS BEFORE THE FOURTH COMMITTEE BY MEMBERS OF THE VISITING MISSION

The Chairman of the Visiting Mission to West Africa, 1952, R. A. Peachey (Australia), and a member of the Mission, Robert Scheyven (Belgium), made statements before the Fourth Committee when the Committee considered the draft report on its consideration of the Ewe and Togoland unification problem (A/C.4/L.266) to the General Assembly.

In his statement, Mr. Peachey said that certain criticisms of the Mission had been made during

the debate on the Ewe and Togoland unification question casting reflections on members of the Mission.

While the Mission was in the two Trust Territories of Togoland, he said, it heard everyone who wished to address it and was always available to discuss the problems which political parties and other organizations, as well as individuals, wished to raise. The Mission insisted on being available to discuss problems with petitioners at all times.

The Mission had attended a large number of gatherings consisting of thousands of people, Mr. Peachey said, including one organized by the All-Ewe Conference. Referring to the claim that it had not accepted an invitation to attend a demonstration staged by the Conference at Lome on 23 August, he said that it was clear that the Mission was perfectly willing to attend mass demonstrations in Togoland under French administration, though not necessarily at the precise time suggested by the All-Ewe Conference. It attended all political rallies to which it was invited in Togoland under British administration. It seemed to some members of the Mission, he went on, that attendance at mass rallies was the least effective and most time-consuming method of work which it employed. The Mission rejected statements that it was influenced by the Administration, Mr. Peachey stated.

Regarding its non-attendance at a craft exhibition at Lome, he added, it was confirmed that this exhibition was a display of propaganda, and, in view of this misrepresentation, the Mission did not attend.

Mr. Scheyven said he was convinced that the Mission had served the interests of the indigenous inhabitants and the cause of the United Nations. The Mission had been accessible throughout its tour. The calumnies of the Mission during the debate, he stated, would not enhance the prestige of the United Nations in Africa.

(f) ACTION TAKEN BY THE FOURTH COMMITTEE

At its 308th meeting on 16 December, the Committee decided to vote separately on each paragraph of the revised United States draft and the amendments.

Twenty-six separate votes were recorded.

In a series of eight votes, varying from 43 votes to 5, with 1 abstention, to 48 votes to none, with one abstention, the Committee adopted the preamble. The Committee also adopted, by 33 votes to 2, with 13 abstentions, as an additional paragraph of the preamble, the relevant part of the Guatemalan amendment (A/C.4/L.258).

The ten-Power amendment recommending the reconstitution of the Joint Council by means of direct elections, based on universal adult suffrage exercised by secret ballot, was adopted by the Committee by a roll-call vote of 29 to 10, with 10 abstentions. The paragraph of the United States draft thus amended was adopted by 32 votes to 8, with 6 abstentions.

The Guatemalan amendment (A/C.4/L.258), requesting the Administering Authorities of the two Togolands to enter into negotiations aimed at a single trusteeship administration for these Territories, was adopted by the Committee on a roll-call vote of 18 votes to 13, with 18 abstentions.

The remaining paragraphs of the draft resolution were adopted in a series of votes ranging from 49 votes to none, to 43 votes to 5, with 1 abstention, and the draft resolution as a whole, as amended, by a roll-call vote of 30 votes to 11, with 9 abstentions.

Before the vote was taken on the draft resolution as a whole, the representatives of Australia, Belgium, the Dominican Republic, France, New Zealand, the United Kingdom and the United States announced that, because of the adoption by the Committee of the two amendments, they would not be able to vote in favour of the resolution as amended.

(2) Consideration by the General Assembly
in Plenary Session

The recommendation of the Fourth Committee (A/2335) was considered by the General Assembly at its 409th plenary meeting on 20 December 1952.

An amendment (A/L.139) to the draft resolution presented by the Committee was submitted jointly by Argentina and Venezuela. It would add to the recommendation concerning the reconstitution of the Joint Council the qualification that it should be re-established, as a first stage, as soon as possible.

Presenting the amendment, the representative of Venezuela said that the goodwill of the Administering Authorities concerned was essential to the peaceful solution of the problem. Any result achieved by other than peaceful methods raised far-reaching and serious problems. Adoption by the Assembly of the amendment would make the draft more effective, better balanced, and in closer conformity with the principle that efforts should be made to settle every dispute or difference peacefully, by negotiation and by reconciling the legitimate interests of the parties concerned. The

representative of Venezuela added that his delegation felt little enthusiasm for that part of the draft which requested consideration by France and the United Kingdom of the possibility of considering revising the Trusteeship Agreements for the two Togolands under a single trusteeship administration.

The representative of Argentina, co-sponsor of the amendment, appealed to the Assembly to give full support to the amendment which, he said, represented a genuine compromise, presented with the objective of the co-operation of all Member States in achieving the aims and objectives of the Charter.

The representative of the United States recalled that although his delegation had initiated the original draft resolution in the Fourth Committee, certain amendments had been introduced which obliged him to vote against it in its existing form. Because he was anxious to see a concrete step taken in the matter, he welcomed the joint amendment. The United States representative supported the representative of Venezuela further in his criticism of that part of the draft which suggested consideration of the possibility of revising the Trusteeship Agreements. If the draft were amended in these two respects, he said, the United States would vote for the resolution.

The Assembly adopted, on a roll-call vote of 55 to none, with 4 abstentions, the joint Argentinian-Venezuelan amendment. Voting was as follows:

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian SSR, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Israel, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Turkey, Ukrainian SSR, Union of South Africa, USSR, United Kingdom, United States, Uruguay, Venezuela, Yemen.

Against: None.

Abstaining: Belgium, Guatemala, Mexico, Yugoslavia.

In a separate roll-call vote, the Assembly, by 22 votes to 18, with 18 abstentions, rejected that part of the draft which would request the Administering Authorities to consider the possibility of uniting the two Togolands under a single trusteeship administration. Voting was as follows:

In favour: Afghanistan, Burma, Egypt, El Salvador, Guatemala, Haiti, Honduras, India, Iran, Liberia, Mexico, Panama, Paraguay, Peru, Saudi Arabia, Syria, Yemen, Yugoslavia.

Against: Australia, Belgium, Canada, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Ecu-

dor, France, Israel, Luxembourg, Netherlands, New Zealand, Norway, Sweden, Union of South Africa, United Kingdom, United States, Uruguay, Venezuela.

Abstaining: Argentina, Bolivia, Brazil, Byelorussian SSR, Costa Rica, Czechoslovakia, Ethiopia, Greece, Iceland, Indonesia, Iraq, Nicaragua, Pakistan, Philippines, Poland, Thailand, Ukrainian SSR, USSR.

The draft resolution as a whole, as amended, was adopted by the Assembly by roll-call vote of 55 to none, with 3 abstentions as resolution 652 (VII). Voting was as follows:

In favour: Afghanistan, Argentina, Australia, Bolivia, Brazil, Burma, Byelorussian SSR, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Nicaragua, Pakistan, Panama, Paraguay, Philippines, Poland, Saudi Arabia, Sweden, Syria, Thailand, Ukrainian SSR, Union of South Africa, USSR, United Kingdom, United States, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Belgium, Norway, Peru.

The representative of France, explaining his vote in favour of the amended resolution, stated that he had done so only because of the attempt at realism reflected in the amendment. This amendment would make it possible, if the goodwill of the two Governments met with goodwill in other quarters, to put the Joint Council for Togoland Affairs into operation again as soon as possible, while the Governments concerned undertook the necessary consultations for the implementation of the resolution as a whole. Moreover, the French delegation did not wish to dissociate itself from the manifestation of a conciliatory spirit too remarkable and too rare to go unappreciated. He felt obliged, however, to recall the practical difficulties involved in putting into effect the recommendation even as amended. He expressed reservation with regard to the practical results of the complete, fair and thorough consultations with the peoples concerned which were to be undertaken as soon as possible.

Resolution 652 (VII) read:

"The General Assembly,

"Having adopted at the sixth session resolution 555 (VI) on the Ewe and Togoland unification problem, which recommended, *inter alia*, that the Trusteeship Council arrange for the dispatch of either a special mission or its next periodic visiting mission to the two Trust Territories concerned to study thoroughly the Ewe and Togoland unification problem, including the functioning of the proposed Joint Council for Togoland Affairs and submit to the Trusteeship Council a detailed report thereon, including specific recommendations, which shall take full account of the real wishes and interests of the peoples concerned, and requested the Trusteeship Council to submit to the General Assembly at its seventh session a special report covering all aspects of the problem,

"Having received and examined the special report of the Trusteeship Council, including the resolution

adopted by the Council at the second part of its eleventh session on 25 November 1952,

"Having similarly received and examined the special report of the United Nations Visiting Mission to Trust Territories in West Africa, 1952, on the Ewe and Togoland unification problem, transmitted to the Assembly by the Council with its aforementioned special report,

"Having heard the statements of Mr. Olympio (All-Ewe Conference), Mr. Antor and Mr. Odame (Joint Togoland Congress), and Mr. Kpodar (Parti togolais du progrès),

"Having heard the observations of the representatives of the two Administering Authorities and taken note of the written observations of the United Kingdom Government on the special report of the Visiting Mission,

"Noting the view set forth in paragraph 7 of the observations of the United Kingdom that "During this period of trust the Administering Authority must provide political institutions, systems of education and information, and freedom of speech and political activity, which will enable the various political parties to place their programmes before the people of the Trust Territory and, by democratic methods, to seek to enlist the support of a majority of that people",

"Recalling statements of representatives of France in the Trusteeship Council and the General Assembly to the effect that it is the policy of their Government to promote the development of representative political institutions and democratic political activity in the Trust Territories under French administration and that the people of these Territories will, when the period of trusteeship comes to an end, have full freedom of choice as to the future political status of these Territories, whether in association with another political entity or otherwise,

"Bearing in mind that the unification of the two Togolands is the manifest aspiration of the majority of the population of both Trust Territories,

"Desiring to promote the political advancement of the two Trust Territories and their freely expressed wishes in conformity with the basic objectives of the Trusteeship System as set forth in Article 76 of the Charter,

"1. Continues to urge, as set out in its resolution 555 (VI), that the two Administering Authorities concerned and the peoples involved exert every effort to achieve a prompt, constructive and equitable settlement of the problem, taking fully into account the freely expressed wishes of the people concerned;

"2. Regrets that the consultations undertaken by the Administering Authorities did not achieve the purpose of paragraph 5 of resolution 555 (VI) inasmuch as the election procedures devised did not result in the participation of all the major groups in the two Trust Territories;

"3. Recommends that the two Administering Authorities concerned carry on full and extensive consultations with the principal political parties in the two Territories and make every effort to bring about the re-establishment of the Joint Council for Togoland Affairs, or a similar body, on a basis which will enlist the co-operation of all major segments of the population so that it may be an effective and representative organ for the consideration of the common problems of the two Territories;

"4. Urges all the principal parties in the two Territories to make every effort to assist constructively in these consultations;

"5. Recommends further that the terms of reference of the Joint Council or similar body should be such as to enable it to consider and make recommendations upon all political, economic, social and educational matters affecting the two Trust Territories, including the question of the unification of the two Territories, and that, as a first stage, the Joint Council should be reconstituted, and re-established as soon as possible, by means of direct elections on the basis of universal adult suffrage exercised by secret ballot;

"6. Invites the two Administering Authorities to give increasing attention to the possibilities of promoting and expediting the general development of Togoland under British administration and Togoland under French administration provided by the Expanded Programme of Technical Assistance for the economic development of under-developed countries adopted by the United Nations;

"7. Urges the two Administering Authorities to intensify their efforts to bring about the more rapid evolution of the northern parts of both Territories so that the peoples of these sections will be better qualified to play their role and express their views in the political development of the Territories;

"8. Recommends that the two Administering Authorities concerned examine further all of the frontier difficulties complained of in the various petitions and

communications on this matter sent to the Trusteeship Council and to the Visiting Mission and that they take all possible steps to reduce or eliminate them;

"9. Expresses its conviction that the implementation of the declared policies of the Administering Authorities will provide conditions in which the inhabitants of the Trust Territories can determine their own political destiny, and considers that this freedom of choice should be exercised through accepted democratic processes;

"10. Recommends that the two Administering Authorities, through the Joint Council or otherwise, take steps to promote common policies on political, economic, and social matters of mutual concern to the two Trust Territories;

"11. Notes that resolution 643(XI) of the Trusteeship Council requests the Administering Authorities to report fully to the Council in advance of the eighth session of the General Assembly on all steps taken by them pursuant to the special report of the 1952 Visiting Mission;

"12. Requests the Administering Authorities to include in such reports accounts of steps taken by them pursuant to the present resolution, as well as a full account of all factors affecting the unification question;

"13. Requests the Trusteeship Council to submit to the General Assembly at its next regular session a special report on the implementation by the Administering Authorities concerned of the present resolution and the action taken by the Council thereon."

F. GENERAL DISCUSSION OF CONDITIONS IN TRUST TERRITORIES

The general debate on the report of the Trusteeship Council (A/2150) took place at the 279th to 285th meetings of the Fourth Committee, from 19 November to 1 December 1952.

Speakers commented on conditions in the Trust Territories and on their administration, citing instances of particular Trust Territories. Comments and suggestions relating to the functioning of the International Trusteeship System and to the procedures and practices of the Trusteeship Council were also made. In addition, references were made to:

(1) administrative unions affecting Trust Territories; (2) the Ewe and Togoland unification problem; (3) the Wa-Meru land case in Tanganyika under United Kingdom Administration; and (4) the participation of indigenous inhabitants of the Trust Territories in the government of those Territories and in the work of the Trusteeship Council.¹³²

At the 279th meeting on 19 November, the Committee granted a request from the Italian Observer to the United Nations to participate in the discussion of the Council's report. At the 282nd meeting on 25 November, the representative of Italy outlined the work accomplished by the Italian Administration in Somaliland and plans

for the administration of the Territory until it achieved independence in terms of General Assembly resolution 442(V). Italy's main objectives, he said, were to hasten, by all possible means, the economic and cultural advancement of Somaliland and to associate the indigenous inhabitants in the direction of public matters as soon as they attained the minimum qualifications.

The report of the Trusteeship Council was introduced in the Fourth Committee by the representative of Iraq, President of the Council. He pointed out that the purpose of the International Trusteeship System was the advancement of the people of the Trust Territories towards self-government and independence and that the Committee should be guided above all by consideration of the interests of those peoples. It was also necessary that there should be co-operation and understanding between the Administering and non-Administering Powers. Many non-Administering Powers took a special interest in the attainment of self-government by the Trust Territories because they themselves had spent long periods

¹³² For discussion of these problems in the Committee, see this Chapter, under separate headings.

under colonial rule. They also believed that nationalism had become a potent world force and that national aspirations must be genuinely satisfied if peace were to be secured. The Administering Powers, he said, should make every effort to understand that view. The non-Administering Powers, on the other hand, should consider carefully the practicability of any recommendations they might wish to make.

The representatives of Australia, New Zealand and the United Kingdom maintained that they were loyally carrying out policies in accordance with the aims and ideals of the Charter and that, although every obstacle could not be overcome as quickly as might be desired, they had been active in promoting progress in economic, social, educational and political fields. They felt that such progress had been considerable and affirmed that they would continue to pursue policies in the interests of the indigenous inhabitants of the Trust Territories. They gave an account of conditions in some of the particular Territories for the administration of which they were responsible. The representative of Denmark also expressed the view that the report of the Council showed that considerable progress had been made, particularly in the development of the economic life of the Territories, which, he said, was basic to a sound development of all other aspects of life.

The representatives of Czechoslovakia, Poland and the USSR, on the other hand, maintained that Administering Members were systematically violating both the provisions of the Charter and the International Trusteeship System. In the economic field, those representatives held, the Territories were being exploited as sources of raw materials and as strategic bases; industrialization was merely for the benefit of the Metropolitan Powers; wages were low and the indigenous inhabitants were being used as a source of cheap labour; heavy taxes were imposed and living standards depressed; and land was being alienated in the interests of "settlers". In the social field, they held, discrimination was practised, trade unions discouraged and corporal punishment maintained. In education, services were poor and the development of national cultures stifled. Politically, they stated, the indigenous inhabitants were being deprived of their rights: representation was non-existent or inadequate; Administering Members were maintaining the tribal system and discouraging the establishment of democratic institutions, to the detriment of the indigenous inhabitants.

The representative of Yugoslavia, who approved of the report, said that progress in the Trust

Territories was below the minimum which should have been attained. Economic conditions, he said, were not conducive to the promotion of economic independence; serious problems in the social and educational fields had not been solved; politically, the limited participation of indigenous inhabitants in the administration of their own affairs was a most disturbing factor.

Several delegations emphasized that self-government or independence should be granted to the Trust Territories at the earliest possible date under conditions of order and stability, with assurances of adequate standards of living. The representatives of Afghanistan, Burma, India, Indonesia and Syria stressed that national aspirations had to be taken into account if peace were to be safeguarded, as the desire for self-government could not be shelved. The representative of Afghanistan suggested that dates should be set by Administering Members, indicating when the Territories for whose administration they were responsible could be expected to achieve independence or self-government.

The representatives of Argentina, Brazil and China were among those who said that although good results had been achieved in some Territories, that progress was not enough. The representative of China appealed to the Administering Members for co-operation in bringing about accelerated development in the Trust Territories.

Regarding political progress generally, the representatives of Burma, Pakistan, Saudi Arabia and Syria felt that it was either lacking or insufficient. More posts in the administration of Trust Territories, the representatives of Burma and Syria urged, should be given to indigenous inhabitants. The representative of Pakistan stated that the development of political associations should be encouraged by Administering Members. The representative of Saudi Arabia contended that authority should be transferred more rapidly to local authorities in the Territories. The representative of Argentina asked Administering Members to introduce universal suffrage.

Referring to reported economic progress in some Territories, the representatives of Egypt, Indonesia and the Philippines questioned whether such progress had been to the benefit of the indigenous inhabitants. The representatives of Burma, India, Indonesia, Pakistan and Syria stressed that economic progress had been uneven. Further economic progress, the representative of Syria maintained, should have been shown. The representative of Pakistan felt that economic and political progress should keep an even pace.

In the social field, some representatives, including those of Argentina and Burma, emphasized the need to improve conditions of public health. Education and communications, the representative of Argentina felt, were fields closely linked to that of health. The abolition of discrimination in any form was urged by the representatives of Indonesia, Pakistan and Saudi Arabia.

Frequent reference was made by speakers to the responsibility of the General Assembly in respect of conditions in Trust Territories, particularly in the matter of recommendations and resolutions, as well as the role of the Trusteeship Council and the Council's Visiting Missions in the development and strengthening of the International Trusteeship System. Statements concerning the treatment of petitions to the United Nations were made both during the general debate on the Council's report and during the consideration of requests to the Fourth Committee for oral hearings.¹³³

The representatives of Czechoslovakia, Poland and the USSR contended that, although Administering Members were responsible for promoting the progressive development of the Trust Territories towards independence, there was also a responsibility on the part of the General Assembly to help the inhabitants of those Territories to achieve political and economic independence. The Assembly, accordingly, was called upon to take any action which would ensure the well-being of the indigenous inhabitants. The representatives of Egypt, the Philippines and Saudi Arabia also felt that no attempt should be made to curb the responsibilities of the Fourth Committee in favour of the Trusteeship Council. The representative of Yugoslavia expressed the view that it was the duty of all Member States to contribute to the common aims of the Trusteeship System.

The representative of Brazil said that equal representation of Administering and non-Administering Members on the Trusteeship Council had tended to make the Council conservative. The General Assembly, as a result, became impatient with the slow pace at which the Territories were advancing towards self-government or independence. The large number of petitions with which the United Nations was now confronted, he added, seemed to indicate dissatisfaction with the action of the Council. It was asserted by the representatives of Czechoslovakia, Poland and the USSR, among others, that the Council was ignoring petitions of vital interest to the indigenous inhabitants. The Council, they contended, acted under pressure from Administering Members, who formed half the Council, and failed to prevail

on Administering Members to fulfil their obligations. The representative of Yugoslavia said that his delegation was satisfied neither with the Council's approach to various problems, its handling of petitions, nor the manner in which it had tried to solve the problems within its competence under the Charter and those entrusted to it by the General Assembly.

A number of representatives emphasized that the Trusteeship Council should not become merely a "rubber-stamp", by receiving petitions, requesting Administering Members concerned for their views on the matters raised in the petitions, and handing down the views of the Administering Members to the petitioners concerned. The representative of India wondered whether the Trusteeship Council was providing the dynamic guidance required, or merely lapsing into a routine handling of petitions. It was the duty of the Trusteeship Council, he said, to ensure that the Administering Members were carrying out their obligations and the duty of the United Nations to assure petitioners that the United Nations was serious in its intentions in the examination of petitions. Among other representatives calling for improved procedure in the handling by the Council of petitions were those of Afghanistan, Egypt, Haiti, Pakistan and the Philippines. Several delegations, including China, the Dominican Republic and Saudi Arabia, urged the protection of the right of petition. The representative of Burma stated that the right of petition was insufficiently known in the Trust Territories. The representative of Indonesia urged that more publicity be given to the views of petitioners, in both the reports of the Trusteeship Council and those of the Visiting Missions.

The representatives of Australia, New Zealand and the United Kingdom said that the work of the Council represented a conscientious approach to some of the most difficult problems of modern times. Its work was not routine performance and attacks on the Council for failing to fulfil its tasks were unwarranted. It was also unfounded to suggest that the non-Administering Members of the Council were too conciliatory in their attitude to the Administering Members, they said. The Council was faithfully performing the task to which it had been entrusted and proper consideration was being given to all petitions.

The representative of the Dominican Republic said that an analysis of trends in the Trusteeship System was extremely complex and involved numerous substantive, legal and humanitarian prob-

¹³³ See p. 85.

lems and many questions of political, economic and social policy. That, he said, should not be forgotten when criticisms were levelled at the Trusteeship Council and its work. He appealed for increased confidence in the Council and for a just and realistic appreciation of the difficulties.

On the question of the Visiting Missions, the representative of the Dominican Republic added that the latest report of a Visiting Mission—the Mission to West Africa (T/1034)¹³⁴—gave undoubted proof of the revitalized activities of one of the mainstays of the Trusteeship System.

The representatives of Australia, New Zealand and the United Kingdom also supported the work of the Visiting Missions. Criticism alleging their partiality could not be accepted, they said.

Such criticism was made during the general debate by the representatives of Czechoslovakia, Poland and the USSR. The Visiting Missions, they

held, were ineffective and failed to take into account the legitimate wishes of the indigenous inhabitants. Their reports were not sufficiently objective and they merely contained recommendations which reflected favourably on the Administering Members concerned.

The representatives of Egypt and Indonesia referred to the difficulties encountered by the Visiting Missions, including the fact that the Missions had too little time to accomplish their tasks. Participation by the indigenous inhabitants in the work of the Visiting Missions was urged by the representative of Brazil. The representatives of China, Haiti and Pakistan felt that the Assembly should be kept informed of any action taken by Administering Members on the basis of recommendations made by the Visiting Missions, together with information on the implementation by such Members of Assembly and Trusteeship Council resolutions and recommendations.

G. PARTICIPATION OF THE INDIGENOUS INHABITANTS OF THE TRUST TERRITORIES IN THE GOVERNMENT OF THOSE TERRITORIES AND IN THE WORK OF THE TRUSTEESHIP COUNCIL

By resolution 554(VI) of 18 January 1952,¹³⁵ the General Assembly, after setting forth several considerations concerning the desirability of directly associating the indigenous inhabitants of the Trust Territories in the work of the United Nations and of the specialized agencies, invited the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work and to report the results of its examination of the problem to the Assembly at its seventh session.

1. Consideration by the Trusteeship Council at its Tenth and Eleventh Sessions

At its tenth session, the Council considered the question at its 389th, 408th and 409th meetings on 3, 26 and 27 March.

Opening the discussion, the representative of the USSR introduced a draft resolution (T/L.239), by which the Council would decide that the populations of the Trust Territories had the right, in the name of their social, cultural and educational organizations and of their representative organs of self-government, to send their representatives to participate without vote in the consideration by the Council of the annual reports

of Administering Authorities and of all other questions relating to the Trust Territories. He stated that according to the Charter the indigenous peoples of the Trust Territories were to play an active part in the administration of their own country and to share in the making of decisions of direct concern to their Territories. Participation of the indigenous peoples in the Council's work was therefore of primary importance.

The representatives of Australia, Belgium and France opposed the USSR draft and also criticized Assembly resolution 554(VI), stating that there were no provisions in the United Nations Charter, the Trusteeship Agreements or the rules of procedure of the Council which afforded a basis for the proposal contained in the Assembly resolution. They also maintained that the Administering Authorities alone had the right to decide the form of the participation of the indigenous inhabitants in the Council's work as the Administering Authorities were the sole representatives of the people in the Trust Territories under their jurisdiction. They were opposed to the creation of "associate members" of the Council.

¹³⁴ See pp. 710-14.

¹³⁵ See Y.U.N., 1951, p. 791.

The representative of Iraq expressed the view that the Assembly resolution was not so radical or unconstitutional as it might appear; it did no more, he said, than invite the Council to study the possibility of associating the inhabitants of the Trust Territories more closely in its work. He felt that the views expressed could be reconciled, and he accordingly submitted a draft resolution (T/L.240/Rev.1) in terms of which the Council would recommend that the Administering Authorities associate—whether on their own initiative or on a request from the Council—members of indigenous organizations, of political, social or cultural character, with the work of the Council, whether as part of their delegations or in any other form which they deemed desirable. (This proposal, however, was later withdrawn.)

At the 408th meeting of the Council on 26 March, the representative of El Salvador stated that he considered that neither the draft resolution by Iraq nor that by the USSR exactly corresponded to the intention expressed by the Assembly in resolution 554 (VI), namely that the Council should consider the possibility of associating the indigenous inhabitants more closely with its work. The USSR draft, he said, proposed to grant the indigenous inhabitants a right which, under the Charter and the Trusteeship Agreements, belonged only to the Administering Authorities. While he was sympathetic with the idea that the indigenous inhabitants of the Trust Territories should acquire a greater knowledge of the work of the Council, he did not feel that the Assembly resolution called for direct and immediate action by the Council. He therefore submitted an oral draft resolution in terms of which the Council would appoint a six-member committee to study the question in the light of the Assembly resolution and the observations made and to report to the Council at its eleventh session. The Council, he added, would thus be able to report to the Assembly at its seventh session, in accordance with resolution 554(VI).

At the suggestion of the representative of Thailand, the representative of El Salvador agreed to add to his draft resolution the words: "and in the light of any observations the Administering Authorities may wish to make."

After the representatives of France, New Zealand, the United Kingdom and the United States had expressed support for the draft resolution submitted by El Salvador, the Council, at its 408th meeting, adopted it by 8 votes to none, with 4 abstentions (resolution 426(X)),

and, at its 409th meeting on 27 March, appointed as members of the Committee the representatives of El Salvador, France, Iraq,¹³⁶ Thailand, the United Kingdom and the United States.

Resolution 426(X) read:

"The Trusteeship Council

"1. Decides to establish a committee composed of six members to study the possibility of associating more closely the inhabitants of the Trust Territories in the work of the Council and to examine this question in the light of resolution 554(VI) of the General Assembly, the observations made by members of the Council during the discussion on this matter and in the light of comments which the Administering Authorities may care to make;

"2. Instructs the Committee to submit its report to the Council at its next session."

At its eleventh session, the Council considered the report of the Committee (T/L.317) at its 454th meeting on 23 July.

The Committee recommended the adoption by the Council of a draft resolution expressing the hope that the Administering Authorities 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 might deem desirable.

The representative of the USSR, who opposed the recommendation of the Committee on the ground that it would not ensure the participation of the true representatives of the indigenous inhabitants in the work of the Council, re-submitted his draft resolution (T/L.239) which had been before the Council at its tenth session. The Council, however, by 9 votes to 1, with 1 abstention, rejected the Soviet draft and adopted the Committee's recommendation by 7 votes to 2, with 2 abstentions (resolution 466(XI)). It read:

"The Trusteeship Council,

"Having considered General Assembly resolution 554 (VI) of 18 January 1952, inviting the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work,

"Considering Article 76 of the Charter of the United Nations defining the essential objectives of the Trusteeship System,

"Considering Article 86 of the Charter of the United Nations fixing the composition of the Trusteeship Council,

"Recognizing that each Member of the United Nations has the unrestricted right to determine the composition of its delegations,

¹³⁶At its 414th meeting on 6 June the Council appointed the representative of the Dominican Republic as a member of the Committee, to replace the representative of Iraq, who had resigned.

Non-Self-Governing Territories and Trusteeship Questions

"Considering that it is desirable that the indigenous inhabitants of the Trust Territories be given every opportunity to develop their preparation in public affairs,

"Is of the opinion that the objective sought by General Assembly resolution 554(VI) could best be realized by the inclusion, where practicable and appropriate, of indigenous inhabitants of the Trust Territories in the respective delegations nominated to the Trusteeship Council by the Administering Authorities;

"Expresses the hope that the Administering Authorities will find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council as part of their delegations or in any other manner which they deem desirable."

2. Consideration by the General Assembly at its Seventh Session

At its 296th meeting on 8 December, the Assembly's Fourth Committee, during its discussion of the report of the Trusteeship Council (A/-2150), considered an eleven-Power proposal concerning the question of participation.

The draft resolution, presented by Bolivia, Brazil, Burma, Ecuador, Egypt, El Salvador, Guatemala, Indonesia, Syria, Yemen and Yugoslavia, (A/C.4/L.249 and A/C.4/L.249/Rev.1) would:

(1) express the opinion that the objects of Assembly resolution 554(VI) would be better achieved through the active participation of members of the indigenous population of the Trust Territories in the government of these Territories and in the work of the Trusteeship Council;

(2) request the Council to associate the indigenous inhabitants of the Trust Territories directly in its work by inviting one qualified member of the indigenous population of each Territory, with the right to speak but not to vote, to take part in the examination and discussion of the annual report of the Administering Authority, though not in discussions directed towards specific conclusions concerning the particular Territory, the said member to be duly selected from the leading political parties and from indigenous cultural, social or economic organizations; and

(3) invite the Administering Authorities to make such participation feasible by granting the necessary facilities and by co-operating to give effect to this resolution.

Support for the eleven-Power draft was expressed by the representatives of Mexico, Saudi Arabia and the USSR, among others. These representatives felt that the draft would provide an effective measure to ensure participation and bring closer the goal of self-government or independence for the inhabitants of the Trust Territories, thus contributing to the achievement of the aims and objectives of the Charter. There

were no valid legal or constitutional objections to the proposals, these representatives maintained.

The representatives of Australia, Belgium, China, France, the Netherlands, New Zealand, the Union of South Africa and the United States opposed the eleven-Power draft. They maintained that the draft was unconstitutional; that the Administering Authorities were responsible for deciding what was appropriate and practicable concerning their representation on the Trusteeship Council; that more time should be allowed for effecting the provisions of Trusteeship Council resolution 466(XI), of 23 July 1952 (see above), on participation; and that the Visiting Missions of the Council provided opportunity for all the inhabitants of Trust Territories to place their views before the United Nations.

At the 297th meeting on 8 December, the sponsors of the eleven-Power draft submitted a further revision (A/C.4/L.249/Rev.2) of their draft resolution. The revision would, among other things, after stating that the Assembly considered that its wishes (concerning participation) had not yet been met, amend the proposed request to the Trusteeship Council by asking it to allow representatives of the indigenous inhabitants of each Territory to participate, at their request, with the right to speak but not to vote, in the examination and discussion of the annual report of the Administering Authority, though not to take part in discussion directed to specific conclusions concerning the particular Territory.

The USSR submitted an amendment (A/C.4/L.250) which would extend participation to all questions, and not limit it, as in the eleven-Power draft, to participation in questions other than discussions directed towards specific conclusions. The Soviet amendment would also ask that selection of the representatives be made, in addition, from representative organs of self-government where these existed in the Territory concerned. The USSR later revised (A/C.4/L.250/Rev.1) its amendment to make it applicable to revisions in the eleven-Power draft, but the Committee did not vote on the amendment as those parts which it sought to amend were not adopted (see below).

The United States presented an amendment (A/C.4/L.252) which would replace that part of the preamble of the eleven-Power draft stating that the Assembly considered that its wishes (concerning participation) had not yet been met, with the statement that the Assembly took into account the fact that there had not yet been opportunity for action to be taken pursuant to Trusteeship Council resolution 466(XI). The

United States amendment would also delete all operative paragraphs of the eleven-Power draft, replacing them with provisions inviting the Administering Authorities to give careful attention to the hope expressed by the Council that the Administering Authorities would find it appropriate to associate suitably qualified indigenous inhabitants in the work of the Council as part of their delegations or in any other manner which they deemed advisable. The United States amendment would also request the Council to include in its reports to the Assembly information taken on action pursuant to resolution 466(XI) and the current resolution.

The representatives of Argentina, Israel and Uruguay, expressing support for the United States amendment, felt that its adoption would increase the possibilities of achieving the objectives desired.

The representative of Iraq stated that two tendencies, both natural and legitimate, were being manifested: one to secure the greatest participation of the indigenous inhabitants, the other, mainly on the part of Administering Authorities, to adhere to the Trusteeship Agreements. The representative of Venezuela proposed orally that the provisions of both the eleven-Power draft and the United States amendment be combined in a single resolution. The representative of the United States, however, said that there were certain fundamental difficulties, which the Venezuelan proposal did not remove.

By a roll-call vote of 22 to 19, with 9 abstentions, the Committee, at its 299th meeting on 9 December, adopted the United States amendment to the preamble of the eleven-Power draft. The remainder of the preamble was adopted by 44 votes to none, with 2 abstentions. In terms of the amended preamble, the Assembly would state that it took into account the fact that there had not yet been opportunity for action pursuant to Trusteeship Council resolution 466 (XI).

By 33 votes to 12, with 4 abstentions, the Committee adopted that part of the eleven-Power draft which expressed the opinion that the objects of Assembly resolution 554(VI) on participation 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 Committee adopted, by 25 votes to 21, with 4 abstentions, the United States proposals as substitute provisions for the remainder of the draft. The United States provisions were that the Administering Authorities be invited to consider associating suitably qualified indigenous inhabitants of the Trust Territories in the work of the Council.

The joint draft resolution as a whole, as amended, was adopted by the Committee by a roll-call vote of 25 to 1, with 24 abstentions, and by the General Assembly, without discussion, at its 410th plenary meeting on 21 December, by 36 votes to 1, with 19 abstentions (resolution 653(VII)). It read.

"The General Assembly,

"Recalling its resolution 554(VI) of 18 January 1952 inviting the Trusteeship Council to examine the possibility of associating the inhabitants of the Trust Territories more closely in its work,

"Bearing in mind the basic objectives of the International Trusteeship System enumerated in Article 76 of the Charter,

"Considering it both desirable and necessary that the indigenous inhabitants of the Trust Territories should have every opportunity of developing their ability to take charge in due course of the public affairs of their Territories,

"Noting the consideration given to this question by the Trusteeship Council at its tenth and eleventh sessions, and resolution 466(XI) adopted by the Council on 23 July 1952,

"Taking into account the fact that there has not yet been opportunity for action to be taken pursuant to this resolution,

"1. Expresses the opinion that the objects of resolution 554(VI) 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;

"2. Shares the hope expressed by the Trusteeship Council in resolution 466(XI) that the Administering Authorities will find it appropriate to associate suitably qualified indigenous inhabitants of the Trust Territories in the work of the Trusteeship Council as part of their delegations or in any other manner which they deem desirable;

"3. Invites the Administering Authorities to give careful attention to Trusteeship Council resolution 466 (XI) and to the present resolution with a view to giving effect to the suggestions contained therein;

"4. Requests the Trusteeship Council to include in its reports to the General Assembly information on action taken pursuant to resolution 466(XI) and to the present resolution."

H. ADMINISTRATIVE UNIONS AFFECTING TRUST TERRITORIES

By resolution 536(VI)¹³⁷ adopted on 18 January 1952, the General Assembly requested the Trusteeship Council to submit to the seventh Assembly session a special report containing a complete analysis of each of the administrative unions to which a Trust Territory is a party,¹³⁸ and of the status of the Trust Territories of the Cameroons and Togoland under French Administration, arising out of their membership in the French Union.

The Assembly further requested that the analysis should have special reference to:

(1) the compatibility with the United Nations Charter and the Trusteeship Agreement of the arrangements already made; and (2) certain considerations enumerated in an earlier Assembly resolution concerned with administrative unions (resolution 326(IV)).¹³⁹ These considerations, among other things, related to the desirability of: (a) having the Administrative Authorities inform the Council before they created new administrative unions or extended the scope of existing administrative unions; (b) partial Council supervision, with concurrence of the Administering Authority, over the unified administration in cases in which, as a consequence of an administrative union, it was impossible to furnish clear and precise data relating to a Trust Territory; (c) the establishment of separate judicial organizations in each Territory and of establishing a separate legislative body with increasing powers and with headquarters within the Trust Territory; and (d) taking into account the freely expressed wishes of the inhabitants of a Trust Territory before forming or extending any administrative, customs or fiscal union.

1. Consideration by the Trusteeship Council and the Committee on Administrative Unions

The Council referred the question to its Standing Committee on Administrative Unions, which submitted to the Council, at its 454th meeting on 23 July 1952, its regular reports on the operation of administrative unions affecting New Guinea (T/969 and Corr.1), Ruanda-Urundi (T/1011), Tanganyika (T/1017 and Corr.1), Togoland under United Kingdom Administration (T/1020 and Corr.1), and Cameroons under United Kingdom Administration (T/1022 and Corr.1), as well as a draft report (T/1026 and Add.1) paying special attention to the considerations mentioned in Assembly resolution 563(VI) and to the compatibility of the arrangements with the interests of the inhabitants of the Trust Territories concerned.

On the basis of recommendations contained in the draft report by its Standing Committee, the Council, at the same meeting, adopted a special report to the Assembly (A/2151), after

rejecting, by 7 votes to 1, with 3 abstentions, a proposal by the USSR that the Council should instead adopt a resolution recommending the Administering Authorities of Tanganyika, New Guinea, Ruanda-Urundi, Togoland and the Cameroons under United Kingdom administration and Togoland and the Cameroons under French administration to establish in the above-mentioned Trust Territories legislative and administrative organs not subordinate to any organs established on the basis of a union of Trust Territories with colonies, and for that purpose to take legislative and other measures to ensure the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Trust Territories.

Also in terms of resolution 563(VI), the General Assembly had established a committee composed of Belgium, Brazil, India and the United States to make a preliminary examination of the special report of the Council and to present its observations to the Assembly at its seventh session. The Committee on Administrative Unions thus established by the Assembly held eleven meetings, from 23 September to 7 October 1952 and reported (A/2217) accordingly. The observations and recommendations of the Council and of the Committee concerning particular Territories are given below under their respective headings. An account of the general observations of the Committee and the draft resolution it recommended for adoption by the Assembly is given separately.

a. THE ADMINISTRATIVE UNION AFFECTING THE TRUST TERRITORY OF TANGANYIKA

In its report on the Trust Territory of Tanganyika (T/1017 and Corr.1), the Council's Standing Committee on Administrative Unions noted that certain petitions (T/Pet.2/120 and 130)¹⁴⁰ alleged, among other things, that discrimination against inhabitants of Tanganyika existed in the amalgamated services of the East Africa Inter-Territorial Organization in the matter of wages, positions and dismissals. The Standing Committee took note of the observations of the Administering Authority (T/953/Add.4), in which it stated:

¹³⁷ See Y.U.N., 1951, p. 782.

¹³⁸ The Trust Territories of Tanganyika, Ruanda-Urundi, Togoland under United Kingdom Administration, the Cameroons under United Kingdom Administration and New Guinea are parties to administrative unions with adjacent or neighbouring territories.

¹³⁹ See Y.U.N., 1951, pp. 777-78.

¹⁴⁰ For names of petitioners, see Annex.

(1) that express provision was made in those services for promotion on grounds of personal qualifications; (2) that there were differences between salary scales in the High Commission services and those in the Tanganyika departmental services, but generally the actual scales were not very dissimilar; (3) that, whereas in the Tanganyika departmental organization the service was on a non-racial basis, with salary scales varying according to the nature of the post, the scales applicable to the High Commission services retained a racial element; and (4) that, in the interests of greater efficiency, certain redundant services had been discontinued or amalgamated but none of the employees affected had had any difficulty in transferring to other employment.

The Council felt that the Administering Authority should take all possible steps to ensure that the employment conditions prevailing for the inhabitants of Tanganyika in the services of the High Commission were no less favourable than those enjoyed by the inhabitants in the service of the Government of Tanganyika.

The Assembly's Committee on Administrative Unions, noting this part of the Council's report, observed that the Council should be requested to pay further attention to this problem and to continue to urge the Administering Authority in the manner indicated.

The Administering Authority observed (T/997) that the question of industrial licensing in the administrative union affecting Tanganyika was kept constantly under review to ensure that the system did not operate to the disadvantage of the Territory or discourage local initiative. The current system of licensing, with which the East African Industrial Council was concerned, had exercised no influence on the economic development of Tanganyika and there was no intention at that time of widening the scope of the system, the Administering Authority stated. Existing territorial legislation on the subject was not considered satisfactory and the draft of a new Ordinance was under consideration.

The Trusteeship Council, noting the statement, felt that, as long as it did not have sufficient information concerning the operation of the Industrial Council, it was unable to assess properly the activities of that body. It expressed the hope that the minutes of the Industrial Council would be made available. The Trusteeship Council also noted that, as far as it was aware, the Industrial Council had confined its activities to licensing only. It is expressed the hope that the Administering Authority, in preparing the draft of a new Ordinance, would take all possible steps to ensure that the future economic interests of the Trust Territory were fully safeguarded and that consideration would be given to adequate participation in the activities of the Industrial

Council of suitably qualified representatives of the indigenous population of the Trust Territory.

The Assembly's Committee on Administrative Unions, in turn, observed that this important matter should be kept under constant review by the Trusteeship Council and that the Administering Authority should be invited to give particular attention to the recommendations of the Council on this subject.

At its eleventh session, the Council noted the provisions of the East Africa (High Commission) (Amendment) Order-in-Council, 1951, continuing the operation of the East Africa Central Legislative Assembly until 31 December 1955, and expressed the opinion that this extension for a further four years might not be disadvantageous to the development of the Trust Territory. The Council also noted:

(1) that the African representatives on the Legislative Council of Tanganyika had supported the proposal for continuation; (2) the statement of the special representative of the Administering Authority, made to the Standing Committee on 11 June 1952, that all administrative officials had been instructed to explain the question of continuation to the African people and that no unfavourable reaction had been elicited; and (3) that a number of petitions (T/Pet.2/113, 120, 130 and 134) had raised objections concerning the Inter-Territorial Organization.

The Council expressed the opinion that it was not yet fully informed concerning the means taken by the Administering Authority to ascertain the freely expressed wishes of the people and hoped that the Administering Authority would take all possible steps to inform the people concerning the operations and implications of the administrative union and consult with them before any review of the current arrangements was undertaken. It requested the Administering Authority to furnish it regularly with detailed information on the actions taken in this respect.

The Assembly's Committee on Administrative Unions, noting the observations of the Trusteeship Council, observed that the Administering Authority should be requested to inform the Council before undertaking any further extension or modification of the existing arrangements which might affect the status of the Trust Territory. It also observed, in this connexion, that the Trusteeship Council should be requested to continue to study further this question and that the Administering Authority should be requested to consider the possibility of devising procedures to enable the inhabitants to express, in as democratic a manner as possible, their opinion concerning the East Africa Inter-Territorial Organization.

Regarding the Assembly's request to the Council to make particular reference in its special report to the compatibility with the provisions of the United Nations Charter and the Trusteeship Agreement of arrangements already made, the Council, at its eleventh session, recognized that the common customs, fiscal and administrative services organized on an inter-territorial basis might have definite advantages to the individual Territories participating in such arrangements. It also recognized that such arrangements should not, in any way, interfere with the progressive development of a Trust Territory and that its interests should not be subordinated to the interests of any of the other Territories participating in the administrative union. With these observations, the Council expressed the opinion that the instruments establishing the Inter-Territorial Organization did not appear to be incompatible with the United Nations Charter and with the Trusteeship Agreement for Tanganyika. It was not firmly convinced, however, that some of the operations under the East African Territorial Organization, including the operations of the East African Industrial Council, might not prejudice the future economic development of the Trust Territory. It remained, therefore, of the opinion that all the operations of the administrative union affecting Tanganyika should be continually examined so as to ensure that the inter-territorial arrangements did not interfere with the objectives of the Trusteeship System.

The Council, in resolution 293 (VII)¹⁴¹ of 17 July 1950, had enumerated certain safeguards which it considered necessary to assist the Council in discharging its functions and to avoid the possibility of any administrative union operating in such a manner as to prejudice the objectives of the Trusteeship System. These safeguards required, with respect to any Trust Territory participating in an administrative union:

(1) that the Administering Authority furnish clear and precise separate financial and statistical and other data relating to the Trust Territory; (2) that Visiting Missions be allowed access to any information necessary on an administrative union to enable it to report fully on the Trust Territory; (3) that the boundaries, separate status and identity of the Trust Territory be maintained; and (4) that expenditures on the administration, welfare and development of a Trust Territory for a given year amount at least to the total public revenue derived from the Territory in that year.

At its eleventh session, the Council made observations concerning the general safeguards in respect of Tanganyika. The Council:

(1) noted that some services under the East Africa High Commission were so closely integrated that it was impracticable to give separate financial figures for

the Trust Territory of Tanganyika alone; (2) noted a statement made by the representative of the United Kingdom to the Council's Standing Committee on Administrative Unions that the Secretary of State for the Colonies and the Administrator of the East Africa High Commission would always be pleased to receive future Visiting Missions to Tanganyika; (3) observed that no information existed which would suggest that the boundaries of Tanganyika had not been maintained; and (4) noted that the expenditures on the administration, welfare and development of Tanganyika for 1950, 1951 and 1952 would amount to not less than the total amount of revenue derived from that Territory during those years.

The Council further expressed the hope that, with regard to the operations of the Railways and Harbour Administration, which, with other departments and services, had been converted into amalgamated services, the Administering Authority would continue to take all steps to safeguard the economic interests of Tanganyika. With regard to customs arrangements, which it considered closely connected with the operations of the administrative union, the Council expressed the hope that the Administering Authority would take all necessary precautions to ensure that the financial interests of the Trust Territory were in no way subordinated to the other Territories participating in the administrative union, and to ensure that the appropriate organs of Tanganyika were given full opportunity to express their views on all matters relating to customs arrangements.

b. THE ADMINISTRATIVE UNION AFFECTING THE TRUST TERRITORY OF RUANDA-URUNDI

At its eleventh session, the Trusteeship Council endorsed the opinion expressed by the 1951 Visiting Mission to East Africa (T/948)¹⁴² to the effect that, while the existing practical arrangements linking the Belgian Congo and Ruanda-Urundi did not impair the separate status and identity of the Trust Territory, and while it appeared that, under existing practices, the Administration of the Trust Territory exercised considerably more independence of action than would be indicated under a strict reading of the instruments establishing the administrative union, nevertheless a higher degree of formal independence on the part of the Administration of Ruanda-Urundi was warranted.

The Council stated further that it considered that the law of 21 August 1925 establishing the administrative union between Ruanda-Urundi

¹⁴¹ See Y.U.N., 1950, p. 795.

¹⁴² See also pp. 610 S.

and the Belgian Congo was not fully consistent with existing administrative practices and not sufficiently precise with regard to the provisions of the Trusteeship Agreement. It expressed the opinion, however, that there was no evidence to indicate that the practical operation of the administrative union was incompatible with the provisions of the United Nations Charter or with the Trusteeship Agreement for Ruanda-Urundi; nevertheless, it was of the opinion that the Government of Belgium should give further consideration to bringing the 1925 law into accord with current practices. The Council also noted the statement of the representative of the Administering Authority, made to the Council's Standing Committee on Administrative Unions on 6 June 1952, to the effect that the advisability of taking legal action had been closely studied by his Government, which had decided that no action was necessary since the law governing the administrative union did not conflict with existing administrative practices.

The Assembly's Committee on Administrative Unions endorsed the observations of the Council and expressed the hope that the Administering Authority would give further consideration to bringing the 1925 law into accord with current practices.

Regarding the general safeguards enumerated in Council resolution 293(VII),¹⁴³ the Council observed:

(1) that the annual reports by the Administering Authority on the administration of Ruanda-Urundi contained separate financial, statistical and other data relating to the Trust Territory; (2) that neither the Committee on Administrative Unions nor the Trusteeship Council had expressed any doubts concerning the willingness of the Belgian Government to facilitate the access of Visiting Missions to such information on the administrative union as might be necessary to report fully on the Trust Territory; (3) that there existed no information which would suggest that the boundaries of the Trust Territory had not been maintained; and (4) that the expenditures on the administration, welfare and development of Ruanda-Urundi during 1949, 1950 and 1951 were not less than the total amount of revenue derived from the Territory during those years.

The Council also referred to the statements by the representative of Belgium in the Standing Committee on Administrative Unions on 6 June 1952 to the effect that no judicial union existed between Ruanda-Urundi and the Belgian Congo and that the Trust Territory had its own subordinate tribunals and Court of Appeal and that the people of the Trust Territory were satisfied with the administrative union and wished it to be continued. It expressed the hope that the Belgian Government would continue to apply to the Trust

Territory educational measures specially and distinctively designed for the particular requirements of the Territory.

c. THE ADMINISTRATIVE UNION AFFECTING TOGOLAND UNDER UNITED KINGDOM ADMINISTRATION

At its eleventh session, the Trusteeship Council, on the recommendation of its Standing Committee, observed that, having further examined the question of the current administrative, legislative and political arrangements between the Gold Coast and the Trust Territory of Togoland under United Kingdom administration, it had no further comments to make but would continue to keep these matters under review.

The Council stated that it realized that it should reserve its final opinion concerning the effect of the new constitutional arrangements on the Trust Territory, promulgated on 29 December 1950, until it had considered the Ewe and Togoland Unification problem,¹⁴⁴ on which a special report would be made to the General Assembly at its seventh session. The Council further recognized:

(1) that the Trust Territory formed a narrow, strip of land inhabited by people who, for the most part, had close ethnic and cultural relations with the inhabitants of the adjacent districts of the Gold Coast; (2) that the current arrangements associating the administration of the two Territories had been in effect for some 30 years; and (3) that the introduction of the Gold Coast Constitution gave to the inhabitants of Togoland in association with the inhabitants of the Gold Coast a considerable degree of participation in self-governing institutions.

The Council expressed the opinion that the current administrative arrangements for Togoland, although perhaps prejudicing the progressive development of the Territory towards a separate independent status, were nevertheless conducive to the attainment of the objectives set forth in Article 76 of the Charter, and were capable of accelerating the progressive development of the Territory towards self-government within the wider framework of the political future of the Gold Coast. It further expressed the opinion that the Administering Authority should continue to carry out its obligations under the Trusteeship Agreement and that, until the freely expressed wishes of the peoples of the Trust Territory concerning its future status had been ascertained in accordance with Article 76 of the Charter, the operation of the current administrative union should be kept under constant review.

¹⁴³ See p. 735.

¹⁴⁴ See pp. 714-17.

The Assembly's Committee on Administrative Unions, noting the observations of the Council, itself noted in particular that the question of the administrative union affecting Togoland under United Kingdom administration was closely related to the Ewe and Togoland unification question which would be examined at the seventh session of the General Assembly. It recognized that the existing arrangements had practical benefits for the Trust Territory from the standpoint both of economic conditions and of participation in politically developed institutions, but observed, however, that the Territory was being constitutionally directed as an integral part of the Gold Coast, having no legislative, judicial or budgetary autonomy, and that the current arrangements were clearly more than administrative in character. It observed further that the operation of the current administrative union should be kept under constant review in order to ensure that the process of amalgamation of institutions did not prejudice the possibility of the final status of the Trust Territory being determined by the freely expressed wishes of the peoples concerned, as envisaged in Article 76 of the Charter.

With respect to the four general safeguards enumerated in Council resolution 293(VII),¹⁴⁵ the Council observed:

(1) that the annual report on the administration of the Trust Territory for 1951 provided estimates of the Territory's revenue and expenditure—the report stating that this had been done because it was impracticable to provide exact figures, and the representative of the Administering Authority stating in the Standing Committee that ways would be found, with experience, of improving the accuracy of the data; (2) that no Visiting Mission had entered Togoland during the year under review (1951); (3) that there existed no information which would suggest that the boundaries of Togoland had not been maintained; and (4) that the estimates of expenditures on the administration, welfare and development of Togoland for the last three fiscal years were not less than the estimates of total public revenue derived from the Territory during those years.

The Council also observed that, with respect to the desirability of establishing a separate judicial and legislative organization in each Trust Territory, it was of the opinion that existing arrangements in Togoland under United Kingdom administration were not disadvantageous to the Territory but, nevertheless, deserved the constant attention of the Council. The Council referred to the assurances of the representative of the Administering Authority in the Standing Committee that it was the Administering Authority's intention to have regard for the freely expressed wishes of the inhabitants in all matters and that any important departure from the current

arrangements would be brought to the attention of the Council at a formative stage.

d. THE ADMINISTRATIVE UNION AFFECTING THE CAMEROONS UNDER UNITED KINGDOM ADMINISTRATION

The Trusteeship Council at its eleventh session made recommendations in respect of the Trust Territory of the Cameroons under United Kingdom administration, which participates in an administrative union with Nigeria, similar to those recommendations in respect of the Trust Territory of Togoland under United Kingdom administration.

The Council recognized that the Cameroons formed a narrow strip of land inhabited by people who, for the most part, had close ethnic and cultural relations with the inhabitants of the adjacent districts of Nigeria, and recognized further that the current arrangements associating the administration of both Territories had been in effect for some 30 years. It also recognized that the new Nigerian Constitution, promulgated in 1951, gave the inhabitants of the Cameroons in association with the inhabitants of Nigeria a considerable degree of participation in self-governing institutions. The Council expressed the opinion that the current administrative arrangements for the Cameroons, although perhaps prejudicing the progressive development of the Territory towards a separate independent status, were nevertheless conducive to the attainment of the objectives set forth in Article 76 of the Charter and were capable of accelerating the progressive development of the Territory towards self-government within the wider framework of the political future of Nigeria. It was further of the opinion that the Administering Authority should continue to carry out its obligations under the Trusteeship Agreement, and that, until the freely expressed wishes of the people of the Trust Territory concerning its future status had been ascertained in accordance with Article 76 of the Charter, the operation of the present administrative union should be kept under constant review.

The Council also took into consideration that the Royal Instructions of 27 November 1951 to the Governor of Nigeria provided, inter alia, that the Governor would not assent to any Bill the provisions of which appeared to him to be inconsistent with obligations imposed upon the United Kingdom Government by treaty or other international agreement including the Trusteeship

¹⁴⁵ See p. 735.

Agreement. The Council was of the opinion that the existence of that instruction adequately protected the interests of the inhabitants of the Trust Territory in regard to the new Constitution. The Council felt, however, that in view of the special status of the Trust Territory in international law, it should keep under constant review the practical implementation of the new arrangements.

The Council further noted that, in the process of formulating the new Constitution, the inhabitants of the Trust Territory took part in the various local and provincial meetings and regional conferences at which proposals for that instrument were considered. It felt that the existing arrangements were not disadvantageous to the Trust Territory, but that they deserved, nevertheless, the constant attention of the Council.

The Assembly's Committee on Administrative Unions, noting the observations of the Council, recognized that the existing arrangements had practical benefits to the Trust Territory from the standpoint both of economic conditions and of participation in politically developed institutions. It observed, however, that the Territory, which consisted of two separate geographical units, was being constitutionally directed as an integral part of Nigeria, having no legislative, judicial or budgetary autonomy, and that the current arrangements were clearly more than administrative in character. It further observed that the operation of the current administrative union should be kept under constant review in order to ensure that the process of amalgamation of institutions did not prejudice the possibility of the final status of the Trust Territory being determined by the freely expressed wishes of the peoples concerned, as envisaged in Article 76 of the Charter.

Concerning the four safeguards enumerated in Council resolution 293(VII),¹⁴⁶ the Council noted:

(1) that the annual reports for 1950 and 1951 on the administration of the Cameroons contained information on the total revenue attributable to the Trust Territory, as well as a statement by the Administering Authority that it had improved and would endeavour to improve further the statistical and other data on the Trust Territory;

(2) that no Visiting Mission went to the Trust Territory in 1950 or 1951;

(3) that no information existed which might suggest that the boundaries of the Territory had not been maintained; and

(4) that it would appear that for the years 1946 to 1949 expenditures on the administration, welfare and development of the Trust Territory were not less than the total revenue attributable to the Territory.

e. THE ADMINISTRATIVE UNION AFFECTING THE TRUST TERRITORY OF NEW GUINEA

At its eleventh session the Council recalled that section 8 of the Papua and New Guinea Act of 1949 declares it to be the intention of the Australian Parliament that the Territory of Papua and the Territory of New Guinea should continue to be Territories under the authority of the Commonwealth of Australia and that the identity and status of the Territory of New Guinea as a Trust Territory should continue to be maintained.

The Council also recognized 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 the economic and social conditions prevailing in Territories like Papua and New Guinea. It considered that complete integration of the political institutions of a Trust Territory and a Non-Self-Governing Territory not subject to Trusteeship provisions might hinder the separate development of the Trust Territory as a separate entity. The Council was of the opinion that, with regard to the operation of the administrative union, the Administering Authority should continue to provide adequate formal protection of the interests of the Trust Territory, in particular with relation to the possibility of the promulgation of legislation which might not be in conformity with the Trusteeship Agreement and the Principles of the Charter.

The Assembly's Committee on Administrative Unions expressed the opinion that these observations of the Council were not conclusive on certain points.

The Council, at its ninth session, had adopted a statement that, as it had no further information on the implementation of economic, social and educational programmes for the Territory of Papua and New Guinea, it was of the opinion that, since these programmes were still in a large part in the formulative stage, there was at that time nothing to report regarding the preservation of the separate interests of the Trust Territory and its inhabitants. At its eleventh session the Council recalled this statement and decided to keep these aspects under consideration, expressing the hope that full information would be forthcoming in the following annual report.

Regarding Native labour, the Council, having decided at its ninth session to keep the operation of the Native Labour Ordinance, 1950, under

¹⁴⁶ See p. 735.

review, noted that, according to the annual report on the administration of the Territory of New Guinea for 1950-51, an increasing number of indigenous inhabitants from the Central Highlands District were seeking employment and that 5,363 workers from the District were employed in the Territory of New Guinea and 1,784 in the Territory of Papua. The Council further noted that, according to the same annual report, the supply of labour in New Guinea was still not equal to the demand and that a labour shortage of 2,100 was estimated for the year 1950-51.

In reply to an inquiry by the Standing Committee concerning the removal of labour from the Trust Territory to Papua, the special representative had stated that this removal of labour was not in any way detrimental to the economic development of the Trust Territory. He explained that the labour shortage of New Guinea had progressively decreased and that it was expected that there would be soon no significant shortage. The special representative had also stated that the workers from the Central Highlands employed in Papua were mainly engaged either on rubber plantations near Port Moresby or in areas where drilling for oil was in progress.

The Council was of the opinion that the operation of this Ordinance should be kept under review.

With regard to the four safeguards,¹⁴⁷ the Council noted:

(1) that the annual report on the administration of New Guinea for 1949-50 contained separate financial, statistical and other data relating to the Territory of New Guinea; and (2) that no Visiting Mission had visited the Territory during the year under review.

It also noted that there existed no information which would suggest that the boundaries of the Trust Territory had not been maintained, although it was of the opinion that the implementation of Administrative District Ordinance, 1951, which had been promulgated, according to the Administering Authority, in order to obtain uniformity in the system of designation of administrative divisions in the joint Territory of Papua and New Guinea, might create a situation which would make difficult the preservation of the separate identity and status of the Territory of New Guinea as a Trust Territory. The Council, accordingly, expressed the hope that the Administering Authority would promptly inform it of the establishment of any districts which might involve the boundaries established by article 1 of the Trusteeship Agreement. The Council further noted that the expenditures on the administration, welfare and development of the Trust Territory for 1950-51 had not been less than the total amount of revenue derived from the Territory.

The Council also welcomed the formal establishment of the Legislative Council for Papua and New Guinea in 1951, observing, however, that in view of the short time which had elapsed since

the inauguration of the Legislative Council, the Trusteeship Council could not yet form an opinion concerning the operation of the Legislative Council and could not yet evaluate to what extent a joint legislative council for the two Territories operated in the best interest of the Trust Territory. It expressed the hope that the Administering Authority would make available to the Trusteeship Council minutes of the meetings of the Legislative Council, as well as any ordinances it might make.

f. THE STATUS OF THE CAMEROONS AND TOGOLAND UNDER FRENCH ADMINISTRATION ARISING OUT OF THEIR MEMBERSHIP IN THE FRENCH UNION

At its eleventh session the Trusteeship Council, in its report, among other things:

(1) noted that, according to the Constitution of the French Republic promulgated on 27 October 1946, establishing the French Union, the latter is composed, on the one hand, of the French Republic (Metropolitan France and the Overseas Departments and Territories) and, on the other hand, of the Associated Territories and States; (2) noted that the Trust Territories of the Cameroons and Togoland under French administration are "Associated Territories" in the meaning of article 60 of the Constitution of the French Republic; (3) noted further that, according to article 26 of that Constitution, diplomatic treaties duly ratified and published would have the force of law even when they were contrary to internal French legislation; they would require for their application no legislative acts other than those necessary to ensure their ratification; (4) noted the statement of the representative of France, made in the Standing Committee on 2 July 1952, that, irrespective of any other provisions of the French Constitution, article 26 safeguarded the full application of the Trusteeship Agreement; and (5) noted in particular the statements of the representative of France, made at the same meeting of the Standing Committee, that, with regard to political emancipation, it was self-evident that, when the Trusteeship System came to an end, the population under Trusteeship would have the option, if they so desired, to achieve their aspirations outside the French Union.

The Council expressed the opinion that there was no evidence to indicate that the practical operation of the administrative arrangements affecting the Trust Territories under French administration and the French Union were incompatible with the Charter of the United Nations and the Trusteeship Agreements concerned. It was further of the opinion that the interpretations by the French representative of the relationship of the two Trust Territories to the French Union would appear to be consistent with the provisions of the Charter and the Trusteeship Agreements. In addition, the Council stated that it did not feel

¹⁴⁷ See p. 735.

itself competent to appraise the theories of constitutional law which might underlie the arrangements between the Trust Territories under French administration and the French Union.

The Assembly's Committee on Administrative Unions expressed the opinion that these observations of the Trusteeship Council were not finally conclusive on certain points.

The Council, in discussing the special considerations which it was asked to take into account in terms of General Assembly resolution 326(IV), experienced certain difficulties in fully applying that resolution to the arrangements affecting Togoland and the Cameroons under French administration within the framework of the French Union. The Council realized that, since General Assembly resolution 326(IV) was concerned with administrative arrangements between a Trust Territory and an adjacent territory under the same administration, some of its provisions did not apply to the separate question of the status of the two Territories.

The Council, however, referred to the statements made by the representative of France in the Standing Committee to the effect that the French Government had no intention of modifying the existing status of the two Territories in the sense indicated in the Assembly resolution and that it would not fail to comply with the wishes of the General Assembly if it should contemplate any such modification; that there was nothing to prevent the Administering Authority from furnishing separate financial and statistical data for the Territories; that the Cameroons possessed an entirely separate judicial organization and that, in the case of Togoland, the Government of France had not thought it desirable, in the interests of the inhabitants themselves, to set up a Court of Appeals at Lome and that, so far as the Cameroons were concerned, the Territory's incorporation into the French Union had not given rise to any persistent opposition but in the case of Togoland, however, difficulties relating to the Ewe problem had arisen.

It also noted that there were representative assemblies in the Cameroons and Togoland with headquarters in the respective Territories, that both Trust Territories were represented in the various legislative bodies of the French Union and that, according to the statement by the representative of France, neither Togoland nor the Cameroons had a legislative body properly so called, though it was the intention of the Government of France to broaden the powers of the assemblies.

2. Consideration by the General Assembly at its Seventh Session

During its seventh session, the General Assembly considered the question at the 292nd to 295th meetings of the Fourth Committee from 4 to 6 December and at the 409th plenary meeting on 20 December 1952. The Fourth Committee had before it both the special report of the Trusteeship Council on administrative unions (A/2151) and the report of the Assembly's Committee on Administrative Unions (A/2217). In its report, the Assembly's Committee on Administrative Unions observed that the special report of the Trusteeship Council was a valuable study of a complicated question and noted that it presented additional information completing the analysis of the problem contained in the Trusteeship Council's report to the Assembly's fifth session (A/1306). The Committee called attention to chapter II of the special report, in which it was pointed out that the terms of the Trusteeship Agreements for all the Territories concerned authorize the Administering Authorities to establish customs, fiscal or administrative unions or federations and, in addition, authorize the Administering Authorities respectively to administer Togoland and the Cameroons under United Kingdom administration as an integral part of United Kingdom territory, Ruanda-Urundi as an integral part of Belgian territory, New Guinea as if it were an integral part of Australia, and the Cameroons and Togoland under French administration as an integral part of France. Chapter II of the special report also included the assurance given by the delegations of Australia, Belgium, France and the United Kingdom, during the consideration of the draft Trusteeship Agreements, that they did not consider that the above-mentioned provisions gave powers to the Administering Authorities to establish any form of political association between the Trust Territories and adjacent territories which would involve the annexation of the Trust Territories in any sense or would have the effect of extinguishing their status as Trust Territories.

The Committee on Administrative Unions recommended the adoption by the Assembly of a draft resolution, in terms of which the General Assembly would:

(1) take note of the special report by the Council and the observations by the General Assembly Committee on Administrative Unions; (2) call to the attention of the Administering Authorities the observations and conclusions contained in the special report

and the observations of the Committee; (3) request the Administering Authorities to continue to transmit promptly to the Council information as complete as possible concerning the operation of the administrative unions affecting Trust Territories under their administration; (4) express the hope that the Administering Authorities concerned would take into account the freely expressed wishes of the inhabitants before establishing or extending the scope of administrative unions; (5) express the hope that the Administering Authorities concerned would consult with the Council concerning any change in or extension of existing administrative unions, or of any proposal to establish new administrative unions; and (6) request the Council to continue its regular examination of each administrative union affecting a Trust Territory, and to study these administrative unions, not only with regard to the four safeguards enumerated in Trusteeship Council resolution 293 (VII),¹⁴⁸ but also with regard to the interests of the inhabitants of the Territory and the terms of the Charter and the Trusteeship Agreements as well as any other matters which the Council might deem appropriate.

During the general debate, the representative of Brazil expressed the view that the International Court of Justice might be asked for an advisory opinion on the question of whether administrative unions were compatible with the United Nations Charter and the Trusteeship Agreements concerned. He stated that some administrative unions were more than purely administrative in character and, in fact, involved the amalgamation of a Trust Territory with a neighbouring territory. An advisory opinion from the Court would not only clarify some important legal points, but would also be useful to the Administering Authorities. He was supported in his view by the representatives of the Dominican Republic, India, Israel and Iraq. The representatives of Guatemala, Mexico and Venezuela, among others, however, were not convinced of the advantage to be gained from a reference to the International Court at that time.

The representatives of Czechoslovakia, Poland and the USSR asserted that the colonial Powers were consolidating their regime in the Trust Territories under the pretext of establishing administrative unions between these Territories and other territories under their control. Their action involved the political and economic integration of the Trust Territories with the neighbouring territories, constituted a violation of the United Nations Charter, hampered the development of the indigenous inhabitants and undermined the Trusteeship System.

Appeals for a regular and close study of administrative unions were made by a number of representatives, including those of Argentina, Haiti and Yugoslavia.

The representatives of Australia, Belgium, France and the United States, among others, said

that fears expressed about the future of the Trust Territories were groundless. The administrative unions, they held, did not conflict with the Charter. The problem of independence could be solved under existing provisions but the status of the Trust Territories should be maintained until the objectives of the Charter had been fulfilled.

Brazil and Iraq submitted an amendment (A/C.4/L.246) proposing the addition of a new operative paragraph to the draft resolution of the Committee on Administrative Unions (A/2217). The new paragraph would direct the Trusteeship Council to refer the question of the administrative unions affecting Tanganyika, Ruanda-Urundi, Togoland under United Kingdom administration, the Cameroons under United Kingdom administration, and New Guinea, and the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union, to the International Court of Justice for an advisory opinion on the question of their compatibility with the Charter of the United Nations and the Trusteeship Agreements concerned. The sponsors accepted two oral drafting amendments by Belgium and Indonesia but later withdrew their proposal.

Argentina, Bolivia, El Salvador and Guatemala submitted an amendment (A/C.4 L.248) to the draft resolution (A/2217), whereby the Administering Authorities would be requested to submit a report to the Trusteeship Council, indicating what benefits and advantages would, in their opinion, be derived by the inhabitants of the Trust Territories from administrative unions. The sponsors, after accepting an oral drafting amendment proposed by the representative of Australia, subsequently made further drafting changes and this amendment was accepted by the members of the Committee on Administrative Unions. The Fourth Committee, accordingly, did not vote separately on the four-Power amendment.

The USSR submitted a draft resolution (A/G.4/L.247) which, in its preamble, would declare the importance of the question of administrative unions for the progressive development of the Trust Territories towards self-government or independence. In its operative part, the Soviet draft would recommend to the Administering Authorities that they establish in the Trust Territories administrative organs not subordinate to any organs established on the basis of a union of Trust Territories with colonies, and that they take legislative and other measures

¹⁴⁸ See p. 735.

for that purpose. The preamble was adopted by the Committee at its 295th meeting on 6 December by 29 votes to 7, with 15 abstentions. The operative paragraph, however, was rejected by 21 votes to 5, with 24 abstentions and, in accordance with the rules of procedure, the draft resolution as a whole was considered to have been rejected.

In a series of thirteen separate votes, three of which were by roll call, the Committee adopted the draft resolution proposed by its Committee on Administrative Unions, as amended, the votes ranging from 50 to none, to 38 to 6, with 5 abstentions. The Committee adopted the draft resolution as a whole, as amended, by roll-call vote of 43 to 5, with 5 abstentions. The resolution adopted by the Committee (A/2337) came before the General Assembly at its 409th plenary meeting on 20 December 1952.

In explanation of their votes, the representatives of Czechoslovakia and the USSR repeated the stand that they had taken in the Fourth Committee, declaring that the Administering Authorities, under the pretext of forming administrative unions, had effected the unification of certain Trust Territories under their administration with the adjacent colonies. This, in fact, amounted to an annexation of the Trust Territories, these representatives maintained, and set up a system of colonial administration subordinate to the administrative organs of the adjacent colonies. Such action constituted a violation of the Charter and of the General Assembly resolutions on the question, as well as of the Trusteeship Agreements. They held that the United Nations, under whose jurisdiction the Trust Territories had been placed and to which the Administering Authorities were responsible for the administration of those Territories, was bound to adopt decisions which would prevent such violations by Administering Authorities.

The General Assembly adopted, by 49 votes to 5, with 1 abstention, the draft resolution recommended by the Fourth Committee (resolution 649(VII)). It read:

"The General Assembly,

"Recalling that the Trusteeship Agreements for the Trust Territories concerned authorize the Administering Authorities to establish customs, fiscal or administrative unions or federations,

"Recalling its resolution 224(III) of 18 November 1948, recommending that the Trusteeship Council should investigate the question of administrative unions in all its aspects, and resolution 326(IV) of 15 Novem-

ber 1949, recommending that the Trusteeship Council should complete the investigation,

"Recalling, further, that in resolution 326(IV) it noted that the Trusteeship Agreements do not authorize any form of political association which would involve annexation of the Trust Territories in any sense, or would have the effect of extinguishing their status as Trust Territories, and affirmed the view that measures of customs, fiscal or administrative union must not in any way hamper the free evolution of each Trust Territory toward self-government or independence,

"Recalling its resolution 563(VI) of 18 January 1952, requesting the Trusteeship Council to submit to it, at its seventh session, a special report containing a complete analysis of each of the administrative unions to which a Trust Territory is a party, and of the status of the Cameroons and Togoland under French administration arising out of their membership in the French Union,

"Recalling the studies on administrative unions undertaken by the Trusteeship Council in 1949 and 1950, and in particular the important analysis of administrative unions contained in resolution 293 (VII) adopted by the Council on 17 July 1950,

"Recalling the regular annual reports adopted by the Trusteeship Council in 1951 and 1952 on each of the Trust Territories participating in an administrative union,

"1. Takes note of the special report submitted by the Trusteeship Council in compliance with General Assembly resolution 563 (VI), and the observations made thereon by the General Assembly Committee on Administrative Unions;

"2. Calls to the attention of the Administering Authorities the observations and conclusions contained in the special report of the Trusteeship Council and the observations of the General Assembly Committee on Administrative Unions;

"3. Requests the Administering Authorities to continue to transmit promptly to the Trusteeship Council information as complete as possible concerning the operation of the administrative unions affecting Trust Territories under their administration, indicating the benefits and advantages derived by the inhabitants of the Trust Territories from administrative unions;

"4. Expresses the hope that the Administering Authorities concerned will take into account the freely expressed wishes of the inhabitants before establishing or extending the scope of administrative unions;

"5. Expresses the hope that the Administering Authorities concerned will consult with the Trusteeship Council concerning any change in or extension of existing administrative unions, or concerning any proposal to establish new administrative unions;

"6. Requests the Trusteeship Council to continue its regular examination of each administrative union affecting a Trust Territory, and to study these administrative unions, not only with regard to the four safeguards 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 the Trusteeship Agreements, as well as any other matters which the Council may deem appropriate."

I. RURAL ECONOMIC DEVELOPMENT IN TRUST TERRITORIES

In accordance with a recommendation of the General Assembly (resolution 438(V) of 2 December 1950),¹⁴⁹ the Trusteeship Council on 16 March 1951 established a Committee on Rural Economic Development to carry out a study of the prevailing policies, laws and practices in the Trust Territories relating to land, land utilization and the alienation of land. By resolution 561(VI) of 18 January 1952,¹⁵⁰ the Assembly recommended that the Council should consider inviting the appropriate specialized agencies, particularly the Food and Agriculture Organization (FAO) and the International Labour Organisation (ILO), as well as other experts if necessary, to assist it in its study. Accordingly, on 28 February 1952, by 11 votes to none, with 1 abstention, the Council adopted a resolution (421(X)) authorizing the Committee on Rural Economic Development to invite the specialized agencies and other experts to contribute to or participate in its study.

The Committee presented its second progress report (T/1004) to the Council at the eleventh session referring to the additional information on land tenure and alienation and on methods of land utilization received from the Administering Authorities since its first progress report (T/926), which had been considered by the Council in 1951. The Committee reported that, in accordance with Council resolution 421(X), it had requested the Secretary-General to invite FAO, which the Committee felt could at that stage

of its work be of more direct assistance than the other specialized agencies, to make available an official familiar with land problems to assist in the preparation of its final report. The Committee had also asked the Secretary-General to invite ILO, the United Nations Educational Scientific and Cultural Organization (UNESCO) and the World Health Organization (WHO) each to consider the type and manner of assistance which it might give. Following the invitation, FAO sent an official to New York from its headquarters in Rome for a period of two months.

The Committee invited the FAO expert to prepare a draft of part I of its report containing an analysis of general problems and features of land tenure, relationship of land tenure to land use and land utilization. The remainder of the final report, according to an outline approved in principle by the Committee (T/AC.36/L.46 and Corr.1), would consist of a second part containing a detailed description of land, land utilization and land alienation in each of the Trust Territories, and a third part containing the conclusions of the Committee as to general objectives and principles, together with any conclusions and recommendations on specific Territories which it might consider necessary.

The Committee's second progress report (T/1004) was considered by the Council at its 413th meeting on 4 June 1952. By 11 votes to 1, the Council took note of the report.

J. SOCIAL ADVANCEMENT IN TRUST TERRITORIES

Following a General Assembly recommendation (resolution 323(IV) of 15 November 1949),¹⁵¹ that the Trusteeship Council should adopt measures for solving such important social problems as migrant labour and penal sanctions for breach of labour contracts by indigenous inhabitants, the Council, by resolution 127(VI) of 28 March 1950,¹⁵² sought the expert advice of the International Labour Organisation (ILO) on these questions.

At its eleventh session, the Council had before it reports of the consequent action taken by ILO concerning migrant labour (T/984 and Add.1) and penal sanctions for breach of labour contracts by indigenous inhabitants (T/985). These reports incorporated the reports on both questions by the ILO Committee of Experts on Social Policy in Non-Metropolitan Territories, which

met in Geneva from 26 November to 8 December 1951. The Council also heard, at its 449th meeting on 17 July 1952, a statement by the Assistant Director-General of ILO.

The ILO Committee reached a series of conclusions relating to migrant labour, calling on the governments concerned to intensify the efforts that they were already making to improve social and economic conditions in rural areas and, where necessary, to invite regional or international organizations, including ILO, to co-operate in the study of the problems, in working out solutions and in their implementation by providing technical and financial assistance. The Com-

¹⁴⁹ See Y.U.N., 1950, pp. 791-92.

¹⁵⁰ See Y.U.N., 1951, p. 784.

¹⁵¹ See Y.U.N., 1948-49, p. 857.

¹⁵² See Y.U.N., 1950, pp. 787-88.

mittee then enumerated a series of points which should be given full consideration in connexion with any policies designed to raise the economic and social level of the rural communities from which the migrant workers come.

In addition, the Committee considered that further steps should be taken for the protection of migrant workers on their journeys and during their periods of employment. It accordingly adopted a series of conclusions which called for intensive and continuous regional, bilateral and unilateral consideration by governments of the problems of migrant workers with a view to appropriate regulation of migration and adequate provision for migrant workers and their families, whether recruited in their own districts or otherwise engaged on contract, or presenting themselves voluntarily at the place of employment. The points to be covered were to include measures for the welfare of workers on their journeys, for medical examination before and after employment, for satisfactory wages and conditions, for welfare arrangements, for provision for remittances to the worker's family, for deferred pay and for the return of the worker to his home.

The Committee considered that the special question of migrations which were not subject or amenable to control should be dealt with unilaterally, bilaterally or regionally with a view to achieving a progressive limitation thereof; but that meanwhile the workers concerned should, as far as practicable, receive protection similar to that afforded to other migrant workers. The general aim of policy should be that "workers should wherever practicable be established permanently in residence with their families at or near their places of employment, except where permanent employment is clearly against the interest of the workers and of his family, or of the economies of the Territories concerned." Governments should consider the advisability of such measures as development of town planning and housing programmes; further steps for the fixing and protection of wages; setting up public employment service systems where appropriate; further development of vocational and technical training, including apprenticeship schemes and in-plant training; further provisions for the access of indigenous workers to skilled employment; full rights of association of indigenous workers and freedom for all legitimate trade-union activities; further development of welfare measures for workers and their families; development of co-operative undertakings; initial measures of social security; and measures to promote permanent settlement.

The Committee suggested that the Governing Body of ILO should examine the possibility of submitting its conclusions in regard to the protection of migrant workers on their journeys and during their periods of employment to a future session of the International Labour Conference with a view to the adoption of a recommendation on the subject.

The report of the Committee of Experts on the question of penal sanctions for breach of labour contracts by indigenous workers contained an account of the present position in law and practice in the countries concerned, together with recommendations for further action. The Committee recommended that:

(1) the Governing Body should address to the Member States concerned a communication (a) inviting countries which had not ratified the 1939 ILO Convention on penal sanctions to reconsider the possibility of doing so at an early date; (b) directing attention to the advances made in many Territories since the 1939 Convention was adopted, and to the evidence which they provide that the abolition of penal sanctions was now practicable; and (c) directing attention to the strong collective view of the Committee that penal sanctions were wrong on moral grounds, ineffective in practice and that very cogent reasons existed for their immediate and general abolition;

(2) the Governing Body should consider whether the 1939 Convention might be supplemented by a recommendation providing for (a) the immediate abolition of sanctions of a penal nature in connexion with women workers and certain other categories of workers and with respect to certain types of breaches of contract; (b) the abolition of all penal sanctions not later than 31 December 1955; and (c) periodic reports and statistics to ILO as to the progress being made towards abolition of all penal sanctions.

The Committee's reports on migrant labour and penal sanctions were considered by the ILO Governing Body at its 118th session in March 1952. The Governing Body authorized the Director-General of ILO to communicate the Committee's conclusions and recommendations to the governments of the Member States concerned and to the Trusteeship Council. It also agreed that the question of the protection of migrant workers on their journeys and during their periods of employment and the question of penal sanctions should be brought again to its attention when it proceeded to consider the agenda of the 37th session of the International Labour Conference (1954).

At its 450th meeting on 18 July 1952 the Trusteeship Council decided, by 10 votes to none, with 1 abstention, to take note of the reports of the Committee of Experts and to take into consideration the Committee's proposals in connexion with its own future annual reports. The

Council also noted a statement by the Assistant Director-General of ILO that the recommendations dealing with the protection of migrant workers on their journeys and during their periods of

employment and with penal sanctions for breach of labour contracts would be on the agenda for the 37th session of the International Labour Conference.

K. EDUCATIONAL ADVANCEMENT IN TRUST TERRITORIES

By resolution 557(VI) of 18 January,¹⁵³ the General Assembly invited Members of the United Nations to make available, to qualified students from Trust Territories, fellowships, scholarships and internships, and to notify the Trusteeship Council concerning the availability of such fellowship, scholarships or internships in public as well as private institutions. It invited the Council to request the Secretary-General, having in mind the procedures of the Expanded Programme of technical assistance and the machinery of the Technical Assistance Administration, to make such arrangements as might be necessary to ensure the efficient administration of all such offers that might be made. It requested, further, that the Council should invite the Administering Authorities concerned to avail themselves of such scholarships, fellowships and internships in accordance with procedure to be devised, and to give full publicity with regard thereto in their respective Trust Territories. It also invited UNESCO to give all appropriate assistance in the implementation of the resolution.

At its 388th meeting on 29 February 1952 the Council requested the Secretary-General to present a report containing proposals for the efficient administration of any offers that might be made of fellowships, scholarships and internships for inhabitants of Trust Territories.

In his report (T/974), which was approved by the Council at its 410th meeting on 31 March, the Secretary-General indicated that it would not be practicable to assimilate the proposed new project into existing technical assistance programmes. After considering the various factors upon which the efficiency of the proposed project must depend, the Secretary-General recommended the administrative arrangements which should be made in connexion with the proposed project.

The Secretary-General proposed further to make arrangements with UNESCO to include in its periodical Study Abroad information on offers of facilities made under the Assembly resolution.

Subsequently, the Secretary-General reported (T/1024) to the Trusteeship Council that two Governments, Yugoslavia and India, had offered fellowships and scholarships and that these offers had been transmitted to the Administering Authorities of Trust Territories. Yugoslavia offered five fellowships and five scholarships to students from Trust Territories in Africa. The scholarships were for regular studies of medicine, pharmacy, physics, chemistry and arts at the universities of Belgrade, Zagreb and Ljubljana, and for geology and mining at the university of Belgrade. The fellowships were for specialized training in social medicine, hygiene, forestry, housing, mining and ferrous metallurgy; they would be granted to persons with university or technical school training, and would cover the period of time required for a programme of special training—normally six months to one year. The Yugoslav Government would pay candidates' travel expenses, both ways, from Cairo, Alexandria or Casablanca to Belgrade, Zagreb or Ljubljana. India offered four scholarships, one to be allotted to an African from Tanganyika, a second to an African from Ruanda-Urundi, and a third preferably to a student from Somaliland under Italian administration. The terms of the scholarships were the same as those offered under the Government of India Cultural Scholarships Scheme intended for students from other countries in Asia and Africa, under which scholars receive Rs. 200 a month plus capitation, tuition and examination fees. The Secretary-General reported that he was later informed that the Government of India had received from the Joint Togoland Congress an application for the fourth scholarship on behalf of a student in Togoland under United Kingdom administration. The Secretary-General notified the United Kingdom accordingly.

At its 450th meeting on 18 July the Council took note of the Secretary-General's report.

¹⁵³ See Y.U.N., 1951, p. 788.

TRUSTEESHIP COUNCIL'S EXAMINATION OF ANNUAL REPORTS FROM
ADMINISTERING AUTHORITIES

	ANNUAL REPORTS EXAMINED DURING TENTH SESSION			
	Nauru	New Guinea	Western Samoa	Trust Territory of the Pacific Islands
Period covered by annual reports	1 July 1950- 30 June 1951	1 July 1950- 30 June 1951	1 Apr. 1950- 31 Dec. 1950	1 July 1950- 30 June 1951
Date transmitted by the Secretary-General to Council members	23 Jan. 1952 (T/956)	5 Feb. 1952 (T/958)	23 Oct. 1951 (T/942 & Add.1)	31 Dec. 1951 (T/950)
Opening statement by the special representative of the Administering Authority	400th meeting 18 Mar. 1952	394th meeting 10 Mar. 1952	390th meeting 4 Mar. 1952	403rd meeting 20 Mar. 1952
Questions by Council members and answers by special representative	400th-402nd meetings 18-19 Mar. 1952	394th-399th meetings 10-14, 17 Mar. 1952	390th-393rd meetings 4-7 Mar. 1952	403rd-405th meetings 20-21 Mar. 1952
General discussion by the Council of the annual report	402nd meeting 19 Mar. 1952	399th-401st meetings 17-19 Mar. 1952	393rd-395th meetings 7, 10-11 Mar. 1952	405th-407th meetings 21, 24-25 Mar. 1952
Appointment of a drafting committee ¹⁵¹	402nd meeting 19 Mar. 1952	394th meeting 10 Mar. 1952	391st meeting 5 Mar. 1952	405th meeting 21 Mar. 1952
Report of the drafting committee and additions proposed by the Secretariat	T/L.244 & Corr.1, 250, 262	T/L.242 & Corr.1, 252, 263	T/L.231 & Corr.1, 248, 261	T/L.253, 254, 264
Consideration of draft report by the Council	409th, 411th meetings 27 Mar., 1 Apr. 1952	410th-410th meetings 31 Mar.-1 Apr. 1952	408th, 411th meetings 26 Mar., 1 Apr. 1952	410th-411th meetings 31 Mar.-1 Apr. 1952
Adoption of report	411th meeting 1 Apr. 1952 (10 votes to 1, 1 absten- tion)	411th meeting 1 Apr. 1952 (10 votes to 1, 1 absten- tion)	411th meeting 1 Apr. 1952 (10 votes to 1, no absten- tions)	411th meeting 1 Apr. 1952 (11 votes to 1)

¹⁵¹ Members of the drafting committee were as follows: Nauru—China, France, Thailand, United States; New Guinea—Belgium, El Salvador, France, USSR; Western Samoa—China, Dominican Republic, United Kingdom, United States; Trust Territory of the Pacific Islands—Belgium, Dominican Republic, Iraq, New Zealand; Ruanda-Urundi—Australia, China, Dominican Republic, United Kingdom; Trust Territory of Somaliland—China, Dominican Republic, New Zealand, United States; Tanganyika—Belgium, El Salvador, France, Thailand;

TRUSTEESHIP COUNCIL'S EXAMINATION OF ANNUAL REPORTS FROM ADMINISTERING AUTHORITIES

ANNUAL REPORTS EXAMINED DURING ELEVENTH SESSION						
Ruanda-Urundi	Trust Territory of Somaliland	Tanganyika	Cameroons under British Administration	Cameroons under French Administration	Togoland under British Administration	Togoland under French Administration
1951	1951	1951	1951	1951	1951	1951
21 May 1952 (T/998)	19 May 1952 (T/993)	13 May 1952 (T/989)	14 May 1952 (T/992 & Add.1)	19 May 1952 (T/995)	13 May 1952 (T/990)	19 May 1952 (T/994)
421st meeting 16 June 1952	415th meeting 9 June 1952	425th meeting 20 June 1952	443rd meeting 11 July 1952	446th meeting 16 July 1952	430th meeting 27 June 1952	436th meeting 7 July 1952
421st-424th, 427th meetings 16-19, 24 June 1952	416th-419th meetings 10-13 June 1952	425th-427th meetings 20, 23-24 June 1952	443rd-445th meetings 11, 14-15 July 1952	446th-449th meetings 16-17 July 1952	430th, 432nd-435th meetings 27, 30 June, 1-3 July 1952	436th-439th meetings 7-9 July 1952
429th-430th meetings 25, 27 June 1952	420th-422nd meetings 16-17 June 1952	428th-429th meetings 25 June 1952	445th-446th, 448th meetings 15-17 July 1952	449th-451st meetings 17-18, 21 July 1952	435th meeting 3 July 1952	439th-441st meetings 9-10 July 1952
428th meeting 25 June 1952	420th meeting 16 June 1952	428th meeting 25 June 1952	445th meeting 15 July 1952	449th meeting 17 July 1952	435th meeting 3 July 1952	439th meeting 9 July 1952
T/L.267 & Corr.1, 293, 302	T/L.266 & Corr.1, 285, 303, 304	T/L.276 & Corr.1, 291, 301, 320	T/L.290 & Corr.1, 314, 318, 323	T/L.294 & Corr.1 & 2, 321, 327, 328	T/L.281 & Corr.1, 298, 319	T/L.280 & Corr.1, 311, 322, 325
442nd, 450th meetings 10, 18 July 1952	440th-441st, 443rd, 453rd meetings 9-11, 22 July 1952	442nd, 450th, 455th meetings 10, 18, 24 July 1952	453rd, 455th meetings 22, 24 July 1952	455th meeting 24 July 1952	450th, 454th meetings 18, 23 July 1952	453rd, 455th meetings 22, 24 July 1952
450th meeting 18 July 1952 (10 votes to 1, no abstentions)	453rd meeting 22 July 1952 (9 votes to 1, no abstentions)	455th meeting 24 July 1952 (10 votes to 1, no abstentions)	455th meeting 24 July 1952 (10 votes to 1, no abstentions)	455th meeting 24 July 1952 (9 votes to 1, 1 abstention)	454th meeting 23 July 1952 (10 votes to 1, no abstentions)	455th meeting 24 July 1952 (9 votes to 1, 1 abstention)

Cameroons under United Kingdom administration—Belgium, Dominican Republic, El Salvador, France; Cameroons under French administration—China, El Salvador, United Kingdom, United States; Togoland under United Kingdom administration—Australia, Belgium, China, El Salvador; Togoland under French administration—Dominican Republic, El Salvador, New Zealand, United States.

L. DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND ON THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES

By resolution 556(VI) of 18 January 1952,¹⁵⁵ the General Assembly recommended that the Administering Authorities of Trust Territories should take all appropriate steps to disseminate information on the United Nations, and on the International Trusteeship System in particular, among the populations and in the schools of Trust territories, and report the details of such steps to the Secretary-General.

The Council considered the resolution at its 387th to 389th meetings, from 28 February to 3 March 1952. At the last of those meetings, it adopted, by 9 votes to 1, with 2 abstentions, resolution 423(X). By this resolution, the Council:

(1) reaffirmed its earlier resolution 36(III) requesting the Secretary-General and the Administering

Authorities to co-operate in ensuring an adequate flow of suitable information of the required kind to the inhabitants of the Trust Territories; and (2) requested the Secretary-General to co-operate with the Administering Authorities in the implementation of General Assembly resolution 556(VI) by providing suitable and adequate information on the United Nations, and the International Trusteeship System in particular, and by undertaking further efforts to ensure the dissemination of that information among the inhabitants and in the schools of the Trust Territories.

At its eleventh session, the Council had before it a report (T/1028) by the Secretary-General giving an account of the extent of the action taken by him and by the various Administering Authorities since the eighth session under Council resolution 36(III).¹⁵⁶ On 23 July 1952, the Council took note of the report.

ANNEX. PETITIONS DEALT WITH BY THE TRUSTEESHIP COUNCIL DURING 1952

The Trusteeship Council dealt with a record number of 375 petitions during 1952 and postponed to a later session eighteen petitions which had not been received within the time limit prescribed by its rules of procedure. The Council referred the preliminary examination of all petitions to its Standing Committee on Petitions. This Committee submitted 22 reports to the Council—seven at the tenth session and fifteen at the eleventh session. It recommended draft resolutions for adoption by the Council with respect to 244 of the petitions.

These resolutions, some with amendments, were adopted by the Council on the following dates: During the tenth session:

- 26 March—428 (X)
- 31 March—329(X)-448(X)
- 1 April—449(X)-462(X)

During the eleventh session:

- 9 July—495(XI) 496(XI), 498(XI)-508(XI),
510(XI) 520(XI)-522 (XI),
526 (XI), 541 (XI) 543(XI), 545 (XI)-
551(XI), 559(XI), 564(XI), 568 (XI),
573(XI), 575(XI), 576(XI), 579(XI),
585(XI), 586(XI)
- 10 July—469 (XI)-493 (XI), 497 (XI), 509 (XI),
519(XI), 523(XI), 525 (XI), 527 (XI)-
540(XI), 544(XI), 552(XI)-558(XI),
560 (XI)-563 (XI), 565(XI)-567 (XI),
569 (XI)-572 (XI), 574 (XI), 577 (XI),
578(XI) 580(XI), 584 (XI), 587 (XI)-
614(XI)
- 18 July—629 (XI)-631 (XI)
- 22 July—468(XI), 494(XI), 615(XI)-628(XI)
632(XI)-640(XI)

The Standing Committee decided not to apply the established procedure for the examination of the remaining 131 petitions, which, it observed, wholly concerned general problems to which the attention of the Council had already been called and on which it had previously taken decisions or made recommendations. In the opinion of the Committee the most desirable forum for the discussion of such general problems was the Council in plenary session during its examination of the annual reports on the Territories concerned. To facilitate reference by Council members to the general problems raised in the 131 petitions, the Committee annexed to its eighth report (T/L.268) a topical index showing, with respect to each subject, the document numbers of the relevant petitions and of the pertinent observations of the Administering Authority concerned. The Committee recommended that the Secretary-General should be requested to reply individually to the petitioners, with respect to their petitions raising general questions, that the problems mentioned had been brought to the attention of the Council for the use of its members in connexion with the examination of conditions in the Trust Territories concerned, and to inform them of the action, if any, taken by the Council on those questions.

The report was approved by the Council at its 414th meeting on 6 June 1952.

A list of all the petitions dealt with by the Council during 1952 is given below. Summaries of the petitions,

¹⁵⁵ See Y.U.N., 1951, p. 789.

¹⁵⁶ For a brief account of the action taken to disseminate information on the United Nations and the International Trusteeship System in Trust Territories, see this chapter under "Educational Conditions" in the individual Territories.

other than the 131 petitions listed in the Standing Committee's eighth report (T/L.268), are included in the reports of the Standing Committee. These reports, identified below, also contain summaries of the observa-

tions of the Administering Authorities and document references to these observations and to the Committee meetings during which the relevant petitions were discussed.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Tanganyika, Administered by the United Kingdom			
Representatives of the Wa-Meru Tribe	T/Pet.2/99 & Add.1-7	T/L.295	468(XI)
S. A. Athman	T/Pet.2/100	T/L.255	429(X)
Mhandeni Mwigwa and Msangazi Mwekonje	T/Pet.2/101	T/L.268	
Government Employees Association	T/Pet.2/102	T/L.268	
Tanganyika African Association, Mwanza Branch	T/Pet.2/103	T/L.268	
Bahaya Union, Bukoba Branch	T/Pet.2/104	T/L.288	469(XI)
Bahaya Union, Geita Branch	T/Pet.2/105	T/L.288	469(XI)
Maswa Chiefs and People	T/Pet.2/106	T/L.268	
Chiefs and People of the Kwimba District	T/Pet.2/107	T/L.288	470(XI)
African Association, Ngudu	T/Pet.2/108	T/L.288	471(XI)
Paul Wamba Kudililwa	T/Pet.2/109	T/L.255	430(X)
Chiefs of Shinyanga District	T/Pet.2/110	T/L.268	
Tanganyika African Association, Dodoma	T/Pet.2/111	T/L.268	
African Association of Tanganyika (Mpwapwa Branch)	T/Pet.2/112	T/L.268	
Pakati Rural African Council	T/Pet.2/113	T/L.268	
African Association, Mikindani	T/Pet.2/114	T/L.268	
Liwalis of the Mikindani District	T/Pet.2/115	T/L.288	472(XI)
Indian Association, Iringa	T/Pet.2/116	T/L.288	473(XI)
Waluguru of Kibungo-Matombo	T/Pet.2/117	T/L.255	431(X)
Joseph K. N. M. Petro	T/Pet.2/118	T/L.268	
Adbul-Bary Muhammad Diwan and others	T/Pet.2/119	T/L.288	474(XI)
Tanganyika African Association Headquarters, Dar-es-Salaam	T/Pet.2/120	T/L.268	
African Cooks, Washermen and House Servants Association	T/Pet.2/121	T/L.288	475(XI)
Bahaya Union, Dar-es-Salaam Branch	T/Pet.2/122	T/L.288	476(XI)
Stanley Munaku, Elias Obed, Hamed Waziri	T/Pet.2/123	T/L.268	
I. R. N. Cormack	T/Pet.2/124	T/L.268	
Tanganyika African Government Servants Association	T/Pet.2/125	T/L.268	
Hajivyanis Galinos	T/Pet.2/126	T/L.255	432(X)
Athumani Chakusaga	T/Pet.2/127	T/L.288	477(XI)
B. L. Vadgama	T/Pet.2/128	T/L.288	478(XI)
J. A. Valiani	T/Pet.2/129	T/L.255	433(X)
African Association, Tanga Branch	T/Pet.2/130 & Add.1	T/L.268	
Ishakia Association	T/Pet.2/131	T/L.288	479(XI)
Muslim Association of Tanganyika, Tanga Branch	T/Pet.2/132	T/L.268	
Philip Mosesi	T/Pet.2/133	T/L.255	434(X)
Chagga Cultural Association, Moshi	T/Pet.2/134	T/L.288	480(XI)
G. A. Papadopulos	T/Pet.2/135	T/L.288	481(XI)
Semvua Kamwe and Salim Losdilo	T/Pet.2/136	T/L.255	435(X)
Chagga Council	T/Pet.2/137	T/L.288	482(XI)
A. P. M. Njau	T/Pet.2/138	T/L.268	
Shariff Is-Hak Arab Community, Arusha Branch	T/Pet.2/139	T/L.255	436(X)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Upare Native Administration	T/Pet.2/140	T/L.268	
Mr. and Mrs. Sem Nicodemus Chief and Elders of Meru	T/Pet.2/141	T/L.255	437(X)
Gamaliell Sablak	T/Pet.2/142	T/L.268	
Representatives of the Waarusha	T/Pet.2/143	T/L.295	468 (XI)
Petro Ndarboi	T/Pet.2/144	T/L.288	483(XI)
Arusha Citizen Union	T/Pet.2/145	T/L.255	438(X)
Kilimanjaro Union	T/Pet.2/146	T/L.288	484 (XI)
Joseph Byebaliro	T/Pet.2/147	T/L.268	
A. P. Mdoe	T/Pet.2/148	T/L.288	485 (XI)
Remi Tengo	T/Pet.2/149	T/L.268	
Usagari Federation	T/Pet.2/150	T/L.288	486(XI)
R. M. Mauchauffee	T/Pet.2/151	T/L.268	
A. P. M. Njau	T/Pet.2/152	T/L.288	487(XI)
Bahaya (Bukoba) Council	T/Pet.2/153	T/L.268	
Hassani Semboja and fourteen others	T/Pet.2/154	T/L.288	488(XI)
Abdalahamani Kaponta	T/Pet.2/155	T/L.288	489(XI)
Anonymous (three)	T/Pet.2/156	T/L.288	490 (XI)
	T/Pet.2/R.2, R.3 & R.4	T/L.268	
Ruanda-Urundi, Administered by Belgium			
Union des Colons du Ruanda-Urundi	T/Pet.3/39	T/L.289	491 (XI)
Chaka Selemani	T/Pet.3/40 & Add. 1-3	T/L.256	439(X)
Mr. Bigiraneza	T/Pet.3/41	T/L.256	440(X)
Ex-Chief Ntunguka	T/Pet.3/42 & Add.1	T/L.256	441(X)
Joseph Marie Ngwela	T/Pet.3/43 & Add.1	T/L.256	442(X)
Nzamwita Gaston Jovite	T/Pet.3/44 & Add.1	T/L.289	492 (XI)
Charles d'Adesky	T/Pet.3/45	T/L.256	443(X)
Mr. Kabondo	T/Pet.3/46	T/L.256	444(X)
Jean Kangabo	T/Pet.3/47	T/L.256	445(X)
François Rukeba	T/Pet.3/48	T/L.268	
Petro Bikirobe	T/Pet.3/49	T/L.256	446(X)
Telesplore Karekezi and four other prisoners at Usumbura	T/Pet.3/50	T/L.268	
Fr. X. Buzingo	T/Pet.3/51	T/L.268	
Jean Sebukuavu	T/Pet.3/52	T/L.256	447(X)
C. B. Mugutu	T/Pet.3/53	T/L.268	
Mrs. Madeleine Cebengwe	T/Pet.3/54	T/L.256	448(X)
Union des Colons du Ruanda-Urundi	T/Pet.3/55	T/L.289	491 (XI)
Chaka Selemani	T/Pet.3/56 ¹⁵⁷	T/L.289	
R. Van Saceghem	T/Pet.3/57	T/L.289	493 (XI)
P. J. Wilkinson	T/Pet.3/58	T/L.289, 306	494 (XI)
Anonymous (three)	T/Pet.3/R.1, R.2 & R.3	T/L.268	

¹⁵⁷ Considered inadmissible on the ground that it did not concern a Trust Territory.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Cameroons, Administered by the United Kingdom and France¹⁵⁸			
Joseph Ngu	T/Pet.4/70 & Add.1 ¹⁵⁹	T/L.308	615 (XI)
French Cameroons Welfare Union	T/Pet.4/71 & Add.1-5 ¹⁵⁹	T/L.308	615(XI)
French Cameroons Welfare Union	T/Pet.4/72	T/L.308	615(XI)
Philip F. Dinka	T/Pet.4/73	T/L.258	455(X)
Ex-Servicemen's Union	T/Pet.4/74	T/L.258	456(X)
John Kulle Birmingham	T/Pet.4/75	T/L.258	457(X)
Bakweri Land Committee	T/Pet.4/76 & Add.1	T/L.308	616(XI)
Jacob Mbwange and others	T/Pet.4/77	T/L.258	458(X)
A. K. Ikomi	T/Pet.4/78	T/L.308	617(XI)
Union des populations du Cameroun	T/Pet.5/97 & Add.1	T/L.310	622(XI)
Constantin Alega Amougou	T/Pet.5/98	T/L.260	459(X)
Union des populations du Cameroun, Central Office of MBalmayo	T/Pet.5/99	T/L.310	623(XI)
Jean Ngueta Nyoungou	T/Pet.5/100	T/L.260	460(X)
Union des populations du Cameroun, Comité regional de Fouban	T/Pet.5/101	T/L.310	624(XI)
Union des populations du Cameroun, Nkongsamba	T/Pet.5/102 & Add.1	T/L.260	461(X)
Ernst Mayer	T/Pet.5/103	T/L.310	625(XI)
Ressortissants Camerounais de Paris	T/Pet.5/104	T/L.268	
Kamerun United National Congress	T/Pet.4/79- T/Pet.5/105 & Add.1	T/L.309	621(XI)
Josue Noubissie	T/Pet.4/80	T/L.308	618(XI)
Bwinga Native Community	T/Pet.4/81	T/L.308	619(XI)
Martin Asongwed and others, Bamenda Improvement Association	T/Pet.4/82	T/L.308	620(XI)
Kamerun United National Congress	T/Pet.4/83	T/L.309	
Ernest Mpoumpiel	T/Pet.5/106 & Add.1	T/L.310	
Valère Eddy Mengack	T/Pet.5/107	T/L.310	627(XI)
President of the Comité regional de l'Union des populations du Cameroun a Fouban	T/Pet.5/108	T/L.310	628(XI)
Togoland, Administered by the United Kingdom and France¹⁶⁰			
S. G. Antor	T/Pet.6/299- T/Pet.7/257	T/L.268	
Togo Union	T/Pet.6/300- T/Pet.7/258	T/L.268	
Buem Native Authority	T/Pet.6/301 & Add.1 ¹⁶¹		

¹⁵⁸ T/Pet.4/—refers to petitions from the Cameroons under United Kingdom administration; T/Pet.5/—refers to petitions from the Cameroons under French administration.

¹⁵⁹ Re-examined, in accordance with a decision of the Council's ninth session; see Y.U.N., 1951, p. 792.

¹⁶⁰ T/Pet.6/—refers to petitions from Togoland under United Kingdom administration; T/Pet.7/—refers to petitions from Togoland under French administration.

¹⁶¹ Considered to have been dealt with by the sixth session of the General Assembly and therefore was not included in the Council's agenda.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Augustino de Souza, General Chairman of the Comité de l'Unité togolaise	T/Pet.7/259	T/L.268	
Hosi Komla	T/Pet.6/302- T/Pet.7/260	T/L.268	
Togoland Congress	T/Pet.6/303- T/Pet.7/261	T/L.268	
Togoland Youth Association	T/Pet.6/304- T/Pet.7/262	T/L.268	
Togoland National Farmers' Union	T/Pet.6/305	T/L.268	
Togoland Youth Association, Jasikan-Buem	T/Pet.6/306- T/Pet.7/263	T/L.268	
Ferdinand Kalipe	T/Pet.7/264	T/L.300	632(XI)
Ata Quam Dessou, Fio Agbano II and Sebastien D. Mlapa IV	T/Pet.7/265 & Add.1	T/L.300	632 (XI)
Joint Togoland Congress	T/Pet.7/266	T/L.300	632(XI)
Augustino de Souza	T/Pet.7/267 & Add.1	T/L.300	632 (XI)
All-Ewe Conference	T/Pet.7/268	T/L.300	632 (XI)
John Amate Atayi, President of the Parti togolais du progrès	T/Pet.7/269	T/L.300	633 (XI)
E. Attiogbe, H. K. Apetor II and Franz Azuma	T/Pet.7/270	T/L.260	462 (X)
One Hundred Ewes in Oda	T/Pet.7/271	T/L.300	632 (XI)
Ewe Community, Kumasi	T/Pet.7/272	T/L.300	632(XI)
Akpini Native Authority	T/Pet.7/273	T/L.300	632(XI)
President, Akimbaukwa Branch, All-Ewe Conference	T/Pet.7/274	T/L.300	632(XI)
Togbe Kwadzi Dei	T/Pet.7/275	T/L.300	632 (XI)
Peter Edoh, Secretary of the Notse Society	T/Pet.7/276	T/L.300	632 (XI)
Ewe Unions Association, Sekondi-Takoradi	T/Pet.7/277	T/L.300	632 (XI)
All-Ewe Conference, Keta Branch	T/Pet.7/278	T/L.300	632(XI)
John Amate Atayi	T/Pet.7/279	T/L.300	632 (XI)
Ewe Union, Asamankese	T/Pet.7/280	T/L.300	632 (XI)
All-Ewe Conference	T/Pet.7/281	T/L.300	632 (XI)
Mr. Amentor, Secretary of the Ewe Union, Apesolubi	T/Pet.7/282	T/L.300	632 (XI)
All-Ewe Conference, Korforidua Branch	T/Pet.7/283	T/L.300	632 (XI)
Pan-Ewe Union, Kadjebi, Buem	T/Pet.7/284	T/L.300	632 (XI)
Augustino de Souza	T/Pet.6/307- T/Pet.7/285	T/L.268	
Togoland Congress	T/Pet.6/308- T/Pet.7/286	T/L.268	
Joint Togoland Congress	T/Pet.6/309 ¹⁶²		
Augustino de Souza	T/Pet.7/287	T/L.268	
Mouvement de la Jeunesse togolaise (Juvento)	T/Pet.6/310- T/Pet.7/288	T/L.268	
Association des Nations Unies du Togo, Lome	T/Pet.6/311- T/Pet.7/289	T/L.268	
Unite togolaise, Lome	T/Pet.6/312- T/Pet.7/290	T/L.268	
Augustino de Souza and Ata Quam	T/Pet.6/313- T/Pet.7/291	T/L.268	
Togoland Congress	T/Pet.6/314	T/L.299	629 (XI)

¹⁶² Considered to have been dealt with by the sixth session of the General Assembly and therefore was not included on the Council's agenda.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Nana Atorsah Agyeman, Head Chief of the Nawuris, Kpandai	T/Pet.6/315	T/L.299	630 (XI)
Chairman of the Togoland Congress (John Amanie)	T/Pet.6/316	T/L.299	631 (XI)
Mouvement de la Jeunesse togolaise	T/Pet.7/292 & Add.1	T/L.300	634 (XI)
Association des Nations Unies du Togo	T/Pet.7/293	T/L.300	635 (XI)
Martin Aku, Sylvanus Olympio and S. G. Antor	T/Pet.7/294	T/L.300	636 (XI)
Augustino de Souza	T/Pet.7/295 & Add.1	T/L.300	637 (XI)
S. G. Antor, Secretary-General of the Togoland Congress	T/Pet.7/296	T/L.300	636 (XI)
Augustino de Souza	T/Pet.7/297	T/L.300	637 (XI)
Augustino de Souza	T/Pet.7/298 & Add.1	T/L.300	638 (XI)
Sam Klu and Martin Aku	T/Pet.7/299	T/L.300	639 (XI)
Augustino de Souza	T/Pet.7/300	T/L.300	639 (XI)
Ben Apaloo and Mr. Aihtson	T/Pet.7/301	T/L.300	639 (XI)
Augustino de Souza	T/Pet.7/302	T/L.300	640 (XI)
New Guinea, Administered by Australia			
New Guinea Chinese Union, Rabaul, and the Overseas Chinese Association, Kavieng	T/Pet.8/4 & Add.1,2 ¹⁶³	T/L.247	428 (X)
Trust Territory of Somaliland, Administered by Italy			
Somali Youth League, Branch of Bardera	T/Pet.11/33	T/L.273	495 (XI)
Hisbia Dighil and Mirifle, Branch of Bardera	T/Pet.11/34	T/L.268	
Abdul Ghami Cheikh Ahmed Bor	T/Pet.11/35	T/L.268	
Ali Nur Abdi	T/Pet.11/36	T/L.257	449 (X)
Some ex-Italian soldiers	T/Pet.11/37	T/L.257	450 (X)
Kulmie Aden Ahmed	T/Pet. 11/38 & Add.1	T/L.257	451 (X)
Idris Omar Gude and others from Goluen	T/Pet. 11/39	T/L.273	496 (XI)
Somali Youth League, Central Committee	T/Pet. 11/40	T/L.268	
Hamar Youth Club	T/Pet. 11/41	T/L.282	497 (XI)
Hamar Youth Club, Mogadiscio	T/Pet.11/42 & Corr.1	T/L.268	
Moslem League, Mogadiscio	T/Pet. 11/43 & Corr.1	T/L.268	
Unione Difesa della Somalia	T/Pet. 11/44	T/L.273	498 (XI)
Representatives of the Disso, Emit and Wanghel Tribes	T/Pet.11/45 & Add.1	T/L.269	499 (XI)
Somali Youth League, Branch of Bardera	T/Pet.11/46	T/L.269	500 (XI)
Hisbia Dighil and Mirifle, Branch of Bardera	T/Pet. 11/47	T/L.269	500 (XI)
Hashi Arab Mohamed	T/Pet.11/48	T/L.257	452 (X)
Somali Youth League, Branch of Dolo	T/Pet. 11/49	T/L.273	501 (XI)
Hussen id Barre Samantar and others	T/Pet. 11/50	T/L.269	502 (XI)
Haji Hassan, Iusuf Haji Hassan and others	T/Pet.11/51	T/L.269	503 (XI)
Somali Youth League, Galcaio District	T/Pet.11/52 & Add.1	T/L.269	504 (XI)
Somali Youth League, Branch of Dusa Mareb	T/Pet. 11/53	T/L.273	505 (XI)
Saeed Awad Bar Jeeb	T/Pet. 11/54 & Add.1 ¹⁶⁴		

¹⁶³ Consideration postponed from the Council's eighth session.

¹⁶⁴ Petition withdrawn by the petitioner.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Yusuf Mussa Abucar	T/Pet.11/55 & Add.1, 2	T/L.273	506(XI)
Certain merchants of Mogadiscio	T/Pet.11/56	T/L.273	507 (XI)
Somali Youth League, Branch of Merca	T/Pet.11/57	T/L.273	508 (XI)
Chief Giemale Barre and others	T/Pet.11/58	T/L.257, 282	453 (X), 509 (XI)
Darman Hassan and others	T/Pet. 11/59 & Add.1	T/L.273	510(XI)
Somali Youth League, Branch of Lugh Ferrandi	T/Pet. 11/60 & Add.1	T/L.269	511(XI)
Somou Islao Nur	T/Pet. 11/61	T/L.257	454(X)
Haji Hassan Giama, Haji Hassan Egal and others	T/Pet. 11/62	T/L.269	503 (XI)
Haji Mohamed Yusuf Alim	T/Pet. 11/63	T/L.273	512(XI)
Somali Youth League, Branch of Dusa Mareb	T/Pet. 11/64	T/L.273	513(XI)
Nur Allakal and others	T/Pet. 11/65 & Add.1-3	T/L.273	514(XI)
International Ethiopian Council for Study and Report	T/Pet. 11/66	T/L.268	
Tom Groves	T/Pet. 11/67	T/L.268	
Somali Youth League, Branch of Afmadu	T/Pet. 11/68	T/L.273	515(XI)
Somali Youth League, Branch of Galib	T/Pet. 11/69	T/L.268	
Somali Youth League, Branch of Brava	T/Pet. 11/70	T/L.273	516(XI)
Hussen Gassim Mahamud	T/Pet. 11/71	T/L.269	517(XI)
Mohamed Mahamud and. others	T/Pet. 11/72	T/L.269	518(XI)
Representatives of the Ogaden Tribes	T/Pet. 11/73	T/L.268	
Somalia Conference Meeting	T/Pet. 11/74	T/L.268	
Unione Africani-Somalia, Mogadiscio	T/Pet. 11/75	T/L.268	
Unione Patriottica Bimalia and Hisbia Dighil and Mirifle	T/Pet. 11/76	T/L.268	
Somali Youth League, Branch of Brava	T/Pet. 11/77	T/L.282	519(XI)
Unione Africani-Somalia, Branch of Afgoi	T/Pet. 11/78	T/L.268	
Chiefs and Notables of Merca	T/Pet. 11/79	T/L.268	
Somali Youth League, Branch of Merca	T/Pet. 11/80	T/L.268	
Associazione Gioventu Benadir	T/Pet. 11/81	T/L.268	
Salah Mohamed Abocar	T/Pet. 11/82	T/L.273	520 (XI)
Saleh Mohamed and Ahmed Mohamed	T/Pet. 11/83	T/L.269	521 (XI)
Workers of the Autoparco Civile	T/Pet. 11/84	T/L.273	522 (XI)
Dirie Warsama Ahmed	T/Pet. 11/85	T/L.282	523 (XI)
Mrs. Mullaha Hassan and others	T/Pet. 11/86	T/L.268	
Merchant of Somalia	T/Pet. 11/87	T/L.268	
Somali Youth League, Branch of Chisimaio	T/Pet. 11/88	T/L.282	524 (XI)
Somali Youth League, Branch of Bulu Burti	T/Pet. 11/89	T/L.282	525 (XI)
Somali Youth League, Branch of Gardo	T/Pet. 11/90	T/L.273	526(XI)
Unione Africani-Somalia, Branch of Belet Uen	T/Pet. 11/91	T/L.268	
Comitato Centrale dei Commercianti, Mogadiscio	T/Pet. 11/92	T/L.278	527 (XI)
Unione Africani-Somalia, Branch of Bulu Burti	T/Pet. 11/93	T/L.268	
Unione Africani-Somalia, Branch of Baidoa	T/Pet. 11/94	T/L.268	
Unione Africani-Somalia, Branch of Balad	T/Pet. 11/95	T/L.268	
Unione Africani-Somalia, Branch of Bur Acaba	T/Pet. 11/96	T/L.268	
Mohamed Sheikh Nur	T/Pet. 11/97	T/L.278	528(XI)
Società Anonima Cooperativa Agricola, Mille Braccia, Somalia	T/Pet. 11/98	T/L.268	
Students of the Scuola Preparazione Politico-Administrativa	T/Pet. 11/99	T/L.278	529 (XI)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Guardie Carcerarie Somale	T/Pet.11/100	T/L.278	530(XI)
Hassan Mohamed Hindi and others	T/Pet.11/101	T/L.268	
Ismail Mohamud and others	T/Pet.11/102	T/L.268	
Jama Gurri and others	T/Pet.11/103	T/L.268	
Artigianato Somala	T/Pet.11/104	T/L.268	
Unione Difesa della Somalia, Mogadiscio	T/Pet.11/105	T/L.268	
Somali Youth League, Branch of Afgoi	T/Pet.11/106	T/L.278	531 (XI)
Farah Mohamed Osman and others	T/Pet.11/107	T/L.278	532 (XI)
Sindacato Personate Autoctono, Mogadiscio	T/Pet.11/108	T/L.282	533(XI)
Temporary Committee and members of the Hisbia Dighil and Mirifle, Mogadiscio	T/Pet.11/109	T/L.278	534 (XI)
Hisbia Dighil and Mirifle, Mogadiscio	T/Pet.11/110	T/L.268	
Associazione Maniferro Somalia	T/Pet.11/111	T/L.268	
Somali Youth League, Branch of Galcaio	T/Pet.11/112	T/L.282	535 (XI)
	& Add.1, 2		
Somali Lorry Owners	T/Pet.11/113	T/L.278	536(XI)
Sheikhs, Chiefs and Notables of the Migiurtinia Province	T/Pet.11/114	T/L.282	537 (XI)
Ibrahim Moallim Ali and others	T/Pet.11/115	T/L.278	538(XI)
Representatives of 643 Somali orphans	T/Pet.11/116	T/L.268	
Hussen Ozman	T/Pet.11/117	T/L.268	
Somali Youth League, Branch of Alula	T/Pet.11/118	T/L.278	539(XI)
Elders and Sheikhs of Ishia Baidoa	T/Pet.11/119	T/L.268	
Somali Youth League, Mogadiscio	T/Pet.11/120	T/L.282	540 (XI)
Unione Giovani Benadir (formerly Hamar Youth Club)	T/Pet.11/121	T/L.268	
Ismail Adan Mumin	T/Pet.11/122	T/L.269	541 (XI)
Salah Abdi Mohamed Musse	T/Pet.11/123	T/L.269	542 (XI)
Ismail Fara Issa	T/Pet.11/124	T/L.269	543 (XI)
Farah Mohamed, Mohamed Ali, and Jama Adeb	T/Pet.11/125	T/L.278	544 (XI)
Ahamed Mohamed Ulo	T/Pet.11/126	T/L.269	545 (XI)
Haji Mohamed Hassono and Haji Iman	T/Pet.11/127	T/L.273	546 (XI)
Ismail Nur Shirmarke	T/Pet.11/128	T/L.269	547 (XI)
Issa Yusuf Mead	T/Pet.11/129	T/L.269	548 (XI)
	& Add.1, 2		
Osman Mussa Arrale	T/Pet.11/130	T/L.269	549 (XI)
Yusuf Ali	T/Pet.11/131	T/L.269	550(XI)
Hassan Gulen and four other ex-soldiers	T/Pet.11/132	T/L.269	551 (XI)
Mohamed Awod Daar	T/Pet.11/133	T/L.278	552 (XI)
Yusuf Farah Abdi and others	T/Pet.11/134	T/L.278	553(XI)
Haji Abo' Imanchio	T/Pet.11/135	T/L.278	554 (XI)
Mohamed Hirabe and 36 other ex-soldiers	T/Pet.11/136	T/L.278	555 (XI)
Nur Ahmed Hassan	T/Pet.11/137	T/L.278	556(XI)
Carashe Ibrahim Ali and two other ex-soldiers	T/Pet.11/138	T/L.278	557 (XI)
Issa Omar Ghodi	T/Pet.11/139	T/L.278	558(XI)
Mohamed Ali Ahmed and others	T/Pet.11/140	T/L.269	559(XI)
Abucar Mahamud Ahmed	T/Pet.11/141	T/L.268	
Abdi Ade and six others	T/Pet.11/142	T/L.278	560(XI)
Hagi Mohamed Musa Amr	T/Pet.11/143	T/L.268	
Salah Musse Hassan and Abdi Nur Uarsame	T/Pet.11/144	T/L.278	561 (XI)
Giama Ali Mattan	T/Pet.11/145	T/L.278	562 (XI)
Somali Youth League, Branch of Alula	T/Pet.11/146	T/L.268	
Nohou Mohamed Abiker and others	T/Pet.11/147	T/L.278	563 (XI)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Scerif Abubakar	T/Pet.11/148	T/L.269	564(XI)
Ali Auale Ghere	T/Pet.11/149	T/L.282	565 (XI)
Representatives of the Abgal-Yusuf Tribe	T/Pet.11/150	T/L.278	566 (XI)
Mohamed Amir	T/Pet.11/151	T/L.278	567 (XI)
Hassan Mohamed Hassan	T/Pet.11/152	T/L.268	
Lega Progressista Somala, Bender Cassim	T/Pet.11/153	T/L.268	
Hagi Ibrahim and others	T/Pet.11/154	T/L.269	568(XI)
Farah Isshak Farah and others	T/Pet.11/155	T/L.268	
Scerif Ahmed Abdalla	T/Pet.11/156	T/L.278	569 (XI)
Somali Youth League, Branch of Belet Uen	T/Pet.11/157	T/L.282	570(XI)
Representatives of the Wak-Bio Tribe	T/Pet.11/158	T/L.278	563 (XI)
Abdulkadir Yerow Issack and Mohamed Sheikh Ahmed	T/Pet.11/159	T/L.278	571(XI)
Somali Youth League, Branch of Alula	T/Pet.11/160 & Add.1	T/L.278	572(XI)
Chiefs and Notables of the Irir Samal Group	T/Pet.11/161	T/L.268	
Abdullahi Ali Hassan	T/Pet.11/162	T/L.269	573 (XI)
Chiefs of the Dighil and Mirifle Tribes	T/Pet.11/163	T/L.268	
Ahmed Mohamed Hussen Mohamed	T/Pet.11/164	T/L.278	574 (XI)
Members of the Committee of Società Anonima Cooperativa Agricola, Mille Braccia, Somalia	T/Pet.11/165	T/L.269	575 (XI)
Unione Patriottica Bimalia and Hisbia Dighil and Mirifle, Merca	T/Pet.11/166	T/L.269	576 (XI)
Somali Youth League, Branch of Chisimaio	T/Pet.11/167	T/L.268	
Haji Mohamed Yusuf Alim	T/Pet.11/168	T/L.273	512(XI)
Somali Youth League, Branch of Jamama	T/Pet.11/169	T/L.268	
Eid ibn Othman and fourteen others	T/Pet.11/170	T/L.268	
Pupils of the Evening School, Merca	T/Pet.11/171	T/L.278	577(XI)
Sheikh Hagi Muallim Omar of Baidoa	T/Pet.11/172	T/L.268	
Somali Youth League, Branch of Afgoi	T/Pet.11/173	T/L.268	
Arab Community of Chisimaio	T/Pet.11/174	T/L.278	578(XI)
Somali Youth League, Branch of Dafet	T/Pet.11/175	T/L.268	
Somali Youth League, Branch of Bardera	T/Pet.11/176	T/L.268	
Farah Barre Mussa	T/Pet.11/177	T/L.268	
Sheikh Kassim ibn Moallim	T/Pet.11/178	T/L.268	
Somali women in Gardo	T/Pet.11/179	T/L.269	579 (XI)
Pupils of the Primary School, Gardo	T/Pet.11/180	T/L.268	
Hassan Ibrahim Mohamed and thirteen others	T/Pet.11/181	T/L.278	580 (XI)
Sheikh Mohamed Hagi Aid Abd el Rahman	T/Pet.11/182	T/L.282	581 (XI)
Hassan Yusuf and four others	T/Pet.11/183	T/L.278	582 (XI)
Somali Youth League, Branch of Gardo	T/Pet.11/184	T/L.268	
Sheikh Aissa Mussa Yusuf	T/Pet.11/185	T/L.268	
Somali Youth League, Branch of Bender Cassim	T/Pet.11/186	T/L.268	
Chiefs and Leaders of Mudugh	T/Pet.11/187	T/L.268	
Representatives of the People of Alula	T/Pet.11/188	T/L.268	
Sheikh Mohammed Yahya and eight others	T/Pet.11/189	T/L.268	
Somali Youth League, Branch of Bender Cassim	T/Pet.11/190	T/L.268	
Somali Youth League, Branch of Gardo	T/Pet.11/191	T/L.273	526(XI)
Islao Omar Ali and 22 others of the "rer Hamar"	T/Pet.11/192	T/L.268	
Lega Progressista Somala, Branch of Galcaio	T/Pet.11/193	T/L.268	
Aden Scire and eleven others	T/Pet.11/194	T/L.268	
Sultan Ali Yassin and fourteen others	T/Pet.11/195	T/L.268	
Mohamed Bothar and five others	T/Pet.11/196	T/L.282	583 (XI)

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Secretary of Unione Africana, Bulu Burti	T/Pet.11/197	T/L.268	
Sama Aliu Abdurrahman	T/Pet.11/198	T/L.282	584 (XI)
Abdullahi Scek Mohamud and twelve others	T/Pet.11/199	T/L.268	
Khalifa Hagi Mussa and three others	T/Pet.11/200	T/L.268	
Hagi Ahmed Ismael and Hagi Ismael Yusuf	T/Pet. 11/2 01	T/L.268	
Ahmed Ali Isse	T/Pet.11/202	T/L.269	585 (XI)
Mohamed Ali Uene	T/Pet.11/203	T/L.269	586 (XI)
Chief Ali Fara	T/Pet.11/204	T/L.268	
Somali Youth League, Branch of Baidoa	T/Pet.11/205	T/L.268	
Demo Hasci and three others	T/Pet.11/206	T/L.282	587 (XI)
Issa Yusuf Mead and five others	T/Pet.11/207	T/L.268	
Somali Youth League, Branch of Bender Seila	T/Pet.11/208	T/L.268	
Lega Mussulmana	T/Pet.11/209	T/L.268	
Sultans, Leaders and Sheikhs	T/Pet.11/210	T/L.268	
Representatives of the Merehan Tribe	T/Pet.11/211 & Corr.1	T/L.278	588(XI)
Sheikh Mukhtar Mohamed and five others	T/Pet.11/212	T/L.268	
Somali Youth League, Branch of Oddur	T/Pet.11/213	T/L.268	
Salah Ibrahim, Mohamed Hussen and fifteen others	T/Pet.11/214	T/L.278	589 (XI)
Somali Youth League, Branch of Gardo	T/Pet.11/215	T/L.268	
Somali Women of Bender Cassim	T/Pet.11/216	T/L.268	
Mudugh Area (23 identical petitions received from this area)	T/Pet.11/217	T/L.268	
Iman Omar, Sultan of the Abgal Tribes	T/Pet.11/218 & Add.1 ¹⁶⁵		
Chief Malim Aden Merehan	T/Pet.11/219	T/L.278	590 (XI)
Somali Youth League, Branch of Chisimaio	T/Pet. 11/220	T/L.282	591 (XI)
Society for Somali Language and Culture	T/Pet.11/221	T/L.268	
Ahmed Shire Lawaha	T/Pet.11/222 & Add.1	T/L.282	592 (XI)
Mohamed Scek Osman, Secretary-General of the Unione Africana-Somalia	T/Pet.11/223	T/L.282	593 (XI)
Somali Youth League, Branch of Dolo	T/Pet.11/224	T/L.282	594(XI)
Iman Omar, Sultan of the Abgal Tribes	T/Pet.11/225 & Add.1 ¹⁶⁵		
Representatives of the Abgal Waesle Tribe, rer Ali Gaff	T/Pet.11/226	T/L.282	595 (XI)
Chief Moalim Adan Ali	T/Pet.11/227	T/L.282	596 (XI)
Abdullahi Mahmud Hassan Mohamed	T/Pet.11/228	T/L.282	597 (XI)
C. A. Koumariansos	T/Pet. 11/229 & Add.1	T/L.282	598 (XI)
Chiefs of the Aulihan Tribe	T/Pet. 11/230	T/L.282	599 (XI)
Ugaz Ghedi Dahor	T/Pet. 11/231	T/L.282	599 (XI)
Miss E. Sylvia Pankhurst	T/Pet.11/232	T/L.282	600 (XI)
Barud Ismail Raghe	T/Pet.11/233	T/L.282	601 (XI)
Rappresentanza Caporali e Capt Squadra già Servizio Locust Control	T/Pet.11/234	T/L.282	602 (XI)
Mohamed Scek Abdurrahman and others	T/Pet. 11/23 5	T/L.282	603 (XI)
Scek Ali Haji Abdalla	T/Pet. 11/236	T/L.282	604 (XI)
Jama Hassan Ibrahim Hussen	T/Pet.11/237	T/L.286	605 (XI)
Scire Dirie Abdille Coscin and six others	T/Pet.11/238	T/L.286	606 (XI)
Abdullahi Sugulle Hussen	T/Pet.11/239	T/L.282	607 (XI)

¹⁶⁵ Petition withdrawn by the petitioner.

Petitioner	Petition Number	Standing Committee Report	Council Resol.
Abdiraman Hersi Ali	T/Pet. 11/240	T/L.282	608(XI)
Isse Abdi Hassan and two others	T/Pet. 11/241	T/L.286	609(XI)
Representatives of the Shidle Sagalo Tribe	T/Pet. 11/242	T/L.282	610(XI)
Chiefs and Notables of the Mudugh Province, Darot and Averghidir Tribes	T/Pet. 11/243	T/L.268	
Chief Haji Ali Scirua	T/Pet. 11/244 ¹⁶⁶	T/L.282	591(XI)
Thirty-nine persons in Dusa Mareb	T/Pet. 11/251	T/L.282	611(XI)
Mrs. Anot Warsama	T/Pet. 11/252	T/L.282	612(XI)
Omar Jumale Ali	T/Pet. 11/253	T/L.282	613(XI)
Kalif Igou Osman and other representatives of the Shidle peasants	T/Pet. 11/254	T/L.282	614(XI)
Anonymous petition — signed "an unhappy Somali"	T/Pet. 11 /R.1	T/L.268	

¹⁶⁶ Consideration of T/Pet. 11/245-250, inclusive, postponed by decision of the Council at its eleventh session.

V. Legal Questions

A. THE ANGLO-IRANIAN OIL COMPANY CASE

On 26 May 1951 the United Kingdom addressed an Application¹ to the International Court of Justice instituting proceedings against Iran in the Anglo-Iranian Oil Company Case. The Application was communicated to Iran as well as to the States entitled to appear before the Court. It was also transmitted to the Secretary-General of the United Nations.

The Memorial of the United Kingdom was filed within the time-limit fixed by Order² of 5 July 1951, and subsequently extended at the request of that Government by Order³ of 22 August 1951. Iran, within the time-limit fixed for the presentation of its Counter-Memorial as finally extended to 11 February 1952 by Order⁴ of 20 December 1951, at the request of that Government, filed a document entitled "Preliminary Observations: Refusal of the Imperial Government to recognize the jurisdiction of the Court."

The filing of the Objection having suspended the proceedings on the merits, an Order⁵ dated 11 February 1952, fixed 27 March as the time-limit within which the United Kingdom might submit a written statement of its observations and submissions in regard to the Objection. The States entitled to appear before the Court were informed of the filing of the Objection. The Members of the United Nations were informed that, in its Objection, Iran relied, *inter alia*, upon its interpretation of Article 2, paragraph 7, of the Charter of the United Nations, which precludes the United Nations from intervening in matters which are essentially within the domestic jurisdiction of any State.

The Observations of the United Kingdom in regard to the Objection were deposited within the specified time-limit and the case, as far as the Preliminary Objection was concerned, was ready for hearing.

As the Court included upon the Bench a Judge of the nationality of one of the parties, the other party—Iran—by virtue of the Court's Statute, appointed Dr. Karim Sandjabi, Professor and former dean of the Law Faculty of Teheran, Member of Parliament and former Minister, to sit as a Judge *ad hoc*.

As the President of the Court was a national of one of the parties, he transferred the Presidency for the case to the Vice-President, in accordance with the Rules of the Court.

Public hearings were held on 9 to 11, 13 to 14, 16 to 19, 21 and 23 June 1952. The Court heard on behalf of Iran: Hossein Navab, Envoy Extraordinary and Minister Plenipotentiary of Iran to the Netherlands, as Agent; Dr. Mossadegh, Prime Minister; and Henri Rolin, Professor of International Law at Brussels University, former President of the Belgian Senate, as Advocate. On behalf of the United Kingdom, the Court heard Sir Lionel Heald, Attorney-General and Sir Eric Beckett, Legal Adviser of the Foreign Office, as Agents.

The Court delivered its Judgment on the Preliminary Objection on 22 July 1952.⁶

1. Judgment of the Court

The Court's Judgment began by recapitulating the facts. On 29 April 1933, an agreement (the Concession Contract) was concluded between the Government of Iran and the Anglo-Iranian Oil Company, a company incorporated in the United Kingdom. This agreement was ratified by the Iranian Majlis on 28 May 1933, and came into force on the following day.

On 15 and 20 March 1951, the Iranian Majlis and Senate, respectively, passed a law enunciating the principle of nationalization of the oil industry in Iran. On 28 and 30 April 1951, they passed another law concerning the procedure for enforcement of this principle. These two laws received the Imperial assent on 1 May 1951.

As a consequence of these laws, a dispute arose between the Government of Iran and the Anglo-Iranian Oil Company. The Government of the United Kingdom adopted the cause of the latter and, by virtue of its right of diplomatic protection,

¹ See Y.U.N., 1951, p. 806.

² *ICJ Reports* 1951, p. 89.

³ *ICJ Reports* 1951, p. 106.

⁴ *ICJ Reports* 1951, p. 208.

⁵ *ICJ Reports* 1952, p. 13.

⁶ *ICJ Reports* 1952, p. 93.

instituted proceedings before the Court. Iran disputed the Court's jurisdiction.

On 22 June 1951 the United Kingdom submitted a request that the Court should indicate provisional measures in order to preserve its rights. In view of the urgent nature of the request, the Court, by Order of 5 July 1951,⁷ indicated certain provisional measures. It stated expressly that "the indication of such measures in no way prejudices the question of the jurisdiction of the Court to deal with the merits of the case and leaves unaffected the right of the Respondent to submit arguments against such jurisdiction."

In its Judgment of 22 July 1952, the Court stated that, while it derived its power to indicate these provisional measures from the special provisions contained in its Statute, it must derive its jurisdiction to deal with the merits of the case from the general rules laid down in Article 36⁸ of the Statute. These general rules, it explained, are based on the principle that the Court's jurisdiction to deal with and decide a case on the merits depends on the will of the parties. Unless the parties had conferred jurisdiction on the Court in accordance with Article 36, the Court lacked such jurisdiction.

In the present case, observed the Court, its jurisdiction depended on the Declarations made by the parties under Article 36, paragraph 2, on condition of reciprocity, which were, in the case of the United Kingdom, signed on 28 February 1940, and, in the case of Iran, signed on 2 October 1930 and ratified on 19 September 1932. By these Declarations jurisdiction was conferred on the Court only to the extent to which the two Declarations coincided in conferring it. As the Iranian Declaration was more limited in scope than that of the United Kingdom, it was the former on which the Court must base itself.⁹

According to the Iranian Declaration, the Court had jurisdiction only when a dispute related to the application of a treaty or convention accepted by Iran. Both parties, said the Court, were in agreement on this point. But they disagreed on the question as to whether this jurisdiction was limited to the application of treaties or conventions accepted by Iran after the ratification of the Declaration, or whether it comprised the application of treaties or conventions accepted by Iran at any time. Iran contended that, according to the actual wording of the text, the jurisdiction was limited to treaties subsequent to the Declaration. The United Kingdom maintained, on the contrary, that it might also be applied to earlier treaties.

In the view of the Court, if the Declaration were considered from a purely grammatical point

of view, both contentions might be regarded as compatible with the text, but the Court could not base itself on a purely grammatical interpretation of the text. It must seek the interpretation which was in harmony with a natural and reasonable way of reading the text, having due regard to the intention of Iran at the time when it accepted the Court's compulsory jurisdiction. Such a way of reading the text led to the conclusion that it applied only to treaties subsequent to the ratification of the Iranian Declaration. The Court stated that in order to reach an opposite conclusion special and clearly established reasons would be required, but the United Kingdom had not been able to produce them. On the contrary, it was apparent that Iran had special reasons for drafting its Declaration in a very restrictive manner and for excluding the earlier treaties.

On 10 May 1927, the Court recalled, Iran denounced all treaties with other States relating to the regime of capitulations, the denunciation to take effect one year thereafter, and it commenced negotiations with these States with a view to replacing the denounced treaties by new treaties based on the principle of equality. At the time when the Declaration was signed in October 1930, these negotiations had been concluded with some States but not with all. Iran considered all capitulatory treaties as no longer binding, but was uncertain as to the legal effect of its unilateral denunciations. It was unlikely, asserted the Court, that Iran, in such circumstances, should have been willing on its own initiative to agree that disputes relating to such treaties might be submitted for adjudication to an international court of justice

⁷ See Y.U.N., 1951, pp. 807-809.

⁸ This Article provides for declarations accepting in advance the Court's jurisdiction in relation to certain classes of disputes and under certain conditions.

⁹ The conditions of the Iranian Declaration were that it was effective without special agreement in relation to any other State accepting the same obligation "in any disputes arising after the ratification of the present declaration with regard to situations or facts relating directly or indirectly to the application of treaties or conventions accepted by Persia and subsequent to the ratification of this declaration," with the exception of:

(1) disputes relating to the territorial status of Persia, including those concerning the rights of sovereignty of Persia over its islands and ports;

(2) disputes in regard to which the parties have agreed or shall agree to have recourse to some other method of peaceful settlement;

(3) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Persia;

(4) subject to the condition that Persia reserves the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to the Council of the League of Nations. For text of the declaration, see I.C.J. Yearbook 1946-47, p. 211.

by virtue of a general clause in its Declaration. Moreover, the Iranian law by which the Majlis approved the Declaration, before it was ratified, provided a decisive confirmation of Iran's intention, for it stated that the treaties and conventions which came into consideration were those which "the Government will have accepted after the ratification of the Declaration". The Court therefore concluded that the Iranian Declaration was limited to disputes relating to the application of treaties or conventions accepted by Iran after the ratification of the Declaration.

The United Kingdom, the Court observed, contended, however, that, even if the Court were to hold that the Declaration applied only to disputes relating to the application of treaties or conventions accepted by Iran after the ratification of the Declaration, it would still have jurisdiction in the present case. The contention of the United Kingdom was that the acts of which it complained constituted a violation by Iran of certain of its obligations to the United Kingdom resulting from treaties or conventions accepted by Iran after the ratification of the Declaration. The treaties and conventions relied upon in this connexion were: the Treaty of Friendship, Establishment and Commerce concluded between Iran and Denmark on 20 February 1934; the Establishment Convention concluded between Iran and Switzerland on 25 April 1934; and the Establishment Convention concluded between Iran and Turkey on 14 March 1937. By these treaties, Iran undertook to treat nationals of those Powers in accordance with the principles and practice of ordinary international law. The United Kingdom claimed that the Anglo-Iranian Oil Company had not been treated in accordance with those principles and that practice. In order to rely on the above-mentioned Treaties, though concluded with third parties, the United Kingdom relied on the most-favoured-nation clause contained in two instruments which it concluded with Iran: the Treaty of 4 March 1857 and the Commercial Convention of 9 February 1903.

The Court found, however, that the United Kingdom was not entitled, for the purpose of bringing its present dispute with Iran under the terms of the Iranian Declaration, to invoke its Treaties of 1857 and 1903 with Iran, since those Treaties were concluded before the ratification of the Declaration. It further found that the most-favoured-nation clause contained in those Treaties could not thus be brought into operation on the question of jurisdiction, and that, consequently, no treaty concluded by Iran with any third party could be relied upon by the United Kingdom in the case.

The Court then considered whether the settlement in 1933 of the dispute between Iran and the United Kingdom relating to the D'Arcy Concession, through the mediation of the Council of the League of Nations, resulted, as was claimed by the United Kingdom, in an agreement between the two Governments which might be regarded as a treaty or convention within the meaning of this expression as contained in the Iranian Declaration.

In November 1932, the Court recalled, Iran decided to cancel the D'Arcy Concession. On 19 December 1932 the United Kingdom, having protested to Iran without avail, submitted the case to the Council of the League of Nations. The Council placed the question on the agenda and appointed a Rapporteur. On 3 February 1933 the Rapporteur informed the Council that Iran and the United Kingdom had agreed: to suspend all proceeding before the Council; that the Company should immediately enter into negotiations with Iran, the respective legal points of view being entirely reserved; and that, in the event that the negotiations should fail, the question should go back to the Council. After prolonged discussion between the representatives of Iran and the representatives of the Company, an agreement—the Concession Contract—was signed by them at Teheran on 29 April. It was subsequently ratified by Iran. On 12 October the Rapporteur submitted his report together with the text of the new concession to the Council, declaring that "the dispute between His Majesty's Government in the United Kingdom and the Imperial Government of Persia [Iran] is now finally settled". The representatives of Iran and the United Kingdom at the Council each expressed his satisfaction at the settlement thus reached and the question was removed from the Council's agenda.

The United Kingdom maintained that, as a result of these proceedings, Iran undertook certain treaty obligations towards the United Kingdom. It contended that the agreement signed by Iran with the Company on 29 April 1933 had a double character, being at once a concessionary contract between Iran and the Company and a treaty between the two Governments.

The Court could not accept this view; it held that the contract was purely a concessionary contract between a government and a foreign corporation. The United Kingdom, it said, was not a party to the contract, which did not constitute a link between the two Governments or in any way regulate the relations between them. Under the contract, Iran could not claim from the United Kingdom any rights which it might claim from the

Anglo-Iranian Oil Company, nor could it be called upon to perform towards the United Kingdom any obligations which it was bound to perform towards that Company.

The Juridicial situation, the Court went on to state, was not altered by the fact that the concessionary contract was negotiated and entered into through the good offices of the Council of the League of Nations, acting through its Rapporteur. The United Kingdom, in submitting its dispute with Iran to the League Council, was only exercising its right of diplomatic protection in favour of one of its nationals. It was seeking redress for what it believed to be a wrong which Iran had committed against a juristic person of British nationality. The final report by the Rapporteur to the Council on the successful conclusion of a new concessionary contract between Iran and the Anglo-Iranian Oil Company gave satisfaction to the United Kingdom. The efforts of the United Kingdom to give diplomatic protection to a British national had thus borne fruit, and the matter came to an end with its removal from the agenda.

The conclusion of the new concessionary contract, said the Court, removed the cause of a complaint by the United Kingdom against Iran. It did not regulate any public matters directly concerning the two Governments. It could not possibly be considered to lay down the law between the two States. It was thus clear to the Court that the proceedings before the Council of the League of Nations which led up to the settlement in 1933 of the dispute between the United Kingdom and Iran relating to the D'Arcy Concession did not result in the conclusion of any treaty or convention between the two countries.

The Court thus found that the United Kingdom was not entitled to invoke any of the treaties concluded by Iran with Denmark and Switzerland in 1934 and with Turkey in 1937, and that no treaty or convention was concluded in 1933 between Iran and the United Kingdom. No other treaties having been relied upon by the United Kingdom as treaties or conventions subsequent to the ratification of the Iranian Declaration, the Court concluded that the dispute brought before it by the United Kingdom was not one of those disputes arising "in regard to situations or facts relating directly or indirectly to the application of treaties or conventions accepted by Persia and subsequent to the ratification of this Declaration". Consequently, the Court, by 9 votes to 5, found that it had no jurisdiction in the case. In its Judgment, the Court declared that its Order of 5 July 1951 ceased to be operative and that the provisional

measures indicated therein lapsed at the same time.¹⁰

The Court's Judgment was followed by a separate opinion by Sir Arnold McNair, President of the Court, who, while concurring in the conclusion reached in the Judgment, for which he had voted, added some reasons of his own which had led him to that conclusion. The Judgment was also followed by four dissenting opinions by Judges Alvarez, Hackworth, Read and Levi Carneiro.

2. Individual Opinion of President McNair

The principal question before the Court, in the opinion of President McNair, was the meaning of the reference in the Iranian Declaration of 2 October 1930, ratified on 19 September 1932, to treaties or conventions. President McNair asked whether this reference denoted treaties or conventions accepted by Iran regardless of the date of their acceptance, as the United Kingdom contended, or only treaties or conventions accepted by Iran after the date of the ratification of the Declaration, as Iran contended. The importance of this matter, he emphasized, lay in the fact that the United Kingdom relied, at any rate as a basis for the Court's jurisdiction, upon certain treaties accepted by Iran before 19 September 1932.

President McNair agreed that both interpretations were grammatically possible, and both were possible as a matter of substance. In short, there was a real ambiguity in the text, and, for that reason, it was both justifiable and necessary to go outside the text and see whether any light was shed by the circumstances.

After the Assembly of the League of Nations launched a campaign in 1928 for securing more acceptances of the compulsory jurisdiction of the Permanent Court, Iran deposited with the Court its Declaration accepting, but in a limited manner, the Court's compulsory jurisdiction. This limitation of Iran's acceptance to situations and facts relating directly or indirectly to treaties or conventions, declared President McNair, was unique, and led one to inquire whether there was any reason for this unusually restrictive attitude, and whether there was anything that indicated which

¹⁰ On 19 August 1952 the Secretary-General communicated to the members of the Security Council for their information a copy (S/2746) of the Court's judgment. It was noted that the Court's Order of 5 July 1951 indicating Provisional Measures of Protection in the Anglo-Iranian Oil Company case (S/2239) ceased to be operative upon delivery of this Judgment and that the Provisional Measures lapsed at the same time.

of the two possible interpretations was the correct one.

Iran on 10 May 1927 formally notified all States holding capitulatory privileges in Iran (believed to number at least thirteen) that those privileges would be abolished on 10 May 1928. As a sequel to this denunciation it became necessary for Iran to overhaul its treaty system, to revise its treaties and to replace the former capitulatory system by a series of treaties of commerce and establishment befitting the new status of legal equality which it had asserted and acquired. In consequence, the years 1928 to 1932 were marked by intense activity on the part of Iran in the negotiation of new treaties of friendship or commerce or establishment.

From the point of view of a State which had been subject to a system of capitulations for at least a century and had only recently denounced them and emerged into a new status, it would be surprising, said President McNair, if the most-favoured-nation principle was not regarded as an obnoxious concomitant of that system. Such a State, while still engaged in negotiating a new treaty regime restricting the most-favoured-nation principle to normal commercial intercourse, would naturally be shy of accepting any compulsory jurisdiction in terms wide enough to expose itself to the invocation of any part of its old treaty system that might still survive.

These historical considerations made it easier to understand why the Iranian Government should desire to start with a clean slate in regard to the compulsory jurisdiction of the Court and to limit its obligations in that regard to treaties and conventions accepted by it after 19 September 1932.

President McNair concluded that Iran's interpretation of its Declaration was preferable to that of the United Kingdom and that the Declaration referred only to situations or facts relating directly or indirectly to the application of treaties or conventions accepted by Iran after 19 September 1932 (and then only subject to the reservations contained in the Declaration, which were not then in question). In reaching this conclusion President McNair did not rely on the Iranian law of 1931 authorizing ratification of the Declaration; he would have preferred that this law should be excluded from the consideration of the Court.

Turning to the question as to whether there were any treaties ratified by Iran after 19 September 1932 upon which the United Kingdom could rely in order to establish the jurisdiction

of the Court, President McNair said that the United Kingdom's first claim to be able to do this rested on what was described as "the international engagement between Persia (Iran) and the United Kingdom to observe the terms of the Concession Convention of 1933." On this point he accepted the finding of the Court and the reasoning which supported it.

The United Kingdom's second claim rested upon treaties concluded by Iran with Denmark (1934), Switzerland (1934) and Turkey (1937), upon the provisions of which the United Kingdom contended it was entitled to rely by virtue of most-favoured-nation clauses in the treaties of 1857 and 1903 between the United Kingdom and Iran. In this connexion, President McNair considered the Iranian-Danish Treaty of 1934 and the Anglo-Persian Treaty of 1857, pointing out two obstacles to the United Kingdom contention: (1) that the United Kingdom could rely on no treaty between itself and Iran ratified after 19 September 1932, the date of the Iranian Declaration; and (2) that the United Kingdom, before it could base its claim on the Iranian-Danish Treaty, must establish a connexion with it, and this it had attempted to do by invoking article 9 of the Anglo-Persian Treaty of 1857—a treaty which antedated the Iranian Declaration. In order to accept this contention of the United Kingdom, it would be necessary for the Court to hold that the United Kingdom could: (a) not only invoke a treaty of 1934 between Iran and a third State; but also (b) telescope together that treaty and a treaty between Iran and itself of 1857 by invoking a most-favoured-nation clause contained in the last-mentioned treaty.

President McNair did not believe that either treaty alone, or both of them together, could be called a treaty or convention accepted by Iran after 19 September 1932, within the meaning of the Declaration. Nor did he consider that the words "directly or indirectly" helped the United Kingdom, because those words, in his opinion, qualified the relation between the situations or facts and the application of the treaty, and were not apt to cover the indirect operation of a most-favoured-nation clause in connecting a treaty of 1857 with a treaty of 1934 for the purpose of satisfying the formula contained in the Iranian Declaration. He was thus unable to accept the United Kingdom's claim to base the jurisdiction of the Court upon the treaties with Denmark, Switzerland and Turkey accepted by Iran after 19 September 1932. Accordingly, he concluded the Court had no jurisdiction in this case.

3. Dissenting Opinions

a. DISSENTING OPINION OF JUDGE ALVAREZ

Judge Alvarez considered that there were four important questions which had to be taken into account by the Court, namely:

(1) What is the scope of the Declaration by which Iran accepted the provisions of Article 36,¹¹ paragraph 2, of the Statute of the Court, or rather, how is this Declaration to be construed?

(2) Is the nationalization by Iran of the oil industry, which directly affected the Anglo-Iranian Oil Company, a measure solely within the reserved domain of Iran, and thus outside the jurisdiction of the Court?

(3) What is the nature of the United Kingdom Government's intervention in this case?

(4) What is the scope of Article 36, paragraph 2, of the Statute of the Court? Is the Court competent to deal with questions other than those expressly specified in the said Article?

As a result of recent profound and sudden transformations in the life of peoples, it was necessary, said Judge Alvarez, to consider in respect of the above questions, first the way they had been settled until recent times, that is to say, in accordance with classical international law, and secondly, how they are settled today, that is to say, in accordance with the new international law.

There was a fundamental difference between the two, he considered. Classical international law was static, because the life of peoples had in the past been subject to few changes; moreover, this law was based on the individualistic regime. The new international law, on the other hand, was dynamic; it was subject to constant and rapid transformations in accordance with the new conditions of international life which it had to reflect. This law was constantly being created; moreover, it was based upon the regime of interdependence which had brought into being the law of social interdependence.

The Iranian Declaration, Judge Alvarez stated, should not be construed by the methods hitherto employed for the interpretation of unilateral instruments, conventions and legal texts, but by methods more in accordance with the new conditions of international life. A legal institution, a convention, once established, acquired a life of its own and evolved not in accordance with the ideas or the will of those who drafted its provisions, but in accordance with the changing conditions of the life of peoples. Iran's Declaration should therefore be interpreted as giving the Court jurisdiction to deal with the present case; its scope should not be restricted by giving too great an

importance to certain grammatical or secondary considerations.

Iran, Judge Alvarez noted, had expressly asserted that the nationalization of its oil industry was a measure exclusively within its reserved domain and that the Court therefore had no jurisdiction' to deal with this case. Examining the nature of the reserved domain, its origin and its current state, he noted that it had been established by classical international law as a natural consequence of the individualistic regime and of the absolute sovereignty of States upon which this law was founded. The reserved domain had covered a wide field.

As a result of the new regime of interdependence and various other factors, the reserved domain of States, he argued, had, however, been modified and considerably reduced; in many cases it was now possible to present a claim against a state relating to matters which it alleged to be within its reserved domain.

The United Kingdom Government was not appearing in this case in defence of its own interests, but to protect the interests of its nationals, which was a very different matter. Diplomatic protection, according to the new international law, might assume three different forms which depended upon the organ before which that protection was exercised: (a) direct protection or claim against a state; (b) protection before the Security Council of the United Nations; (c) protection before the International Court of Justice.

In the view of Judge Alvarez, the crucial point of the case was whether the Court was competent to deal with matters other than those specifically indicated in Article 36, paragraph 2, of its Statute.

Article 36, he explained, referred to disputes which might arise between States; these related to rights flowing from agreements concluded between these States or from rules established by international law with regard to given questions (land domain, maritime domain, etc.). But in addition to such rights there were others, directly established by international law, which did not result from the will of States or from other Judicial acts, but from the conscience of the people. These rights did not create direct obligations between States; their existence might not be disputed but had to be protected in the event of their violation. Among these rights, it was necessary to mention in particular those which were said to be fundamental rights of States (the right to independence, to sovereignty, to equality, etc.), as well as certain other rights conferred by the law

¹¹ For text of this Article, see p. 23.

of nations, such as that of the protection of nationals, the right to be indemnified for injuries, and so forth.

Article 36 of the Court's Statute, he continued, did not refer to the rights falling within this second category, for they did not give rise to disputes; but this Article did not exclude them from the Court's jurisdiction. If such had been the intention, it would have been stated expressly. In accordance with the new international law, and in particular with the spirit of the Charter, all disputes between States, argued Judge Alvarez, must be resolved by peaceful means, and all the rights recognized by the law of nations must be respected and must have a sanction. If the Court should hold that it lacked jurisdiction whenever rights of the second category were concerned, very important cases might occur in which such a decision would cause disappointment and would considerably damage the Court's prestige.

Judge Alvarez drew the following conclusions:

(1) The Court had jurisdiction to deal with the claim presented against Iran by the United Kingdom by reason of the Iranian Declaration.

(2) The Court had jurisdiction, in particular, because the United Kingdom was not acting in the present case in defence of its own interests, but to protect the interests of one of its nationals, the Anglo-Iranian Oil Company. Therefore its contention could not be met with arguments as to the scope of the Iranian Declaration, because what was involved was not a dispute between these two countries, but the exercise of a right recognized by the law of nations.

(3) In view of the nature of the reserved domain at the present day, the Court's jurisdiction could not be limited by the Iranian contentions with regard to this domain.

(4) The Court had a very wide jurisdiction for the protection of rights directly conferred upon states by international law (those relating to the protection of nationals, to repatriation for injury unjustly suffered, to denials of justice, to *abus du droit*, etc.). Its jurisdiction in this connexion could not be limited by the non-adherence of the State against which the claim was made to the provisions of Article 36, paragraph 2, of the Statute of the Court.

The exercise of some of these rights might, however, constitute a dispute, and thus come within the jurisdiction of the Court.

b. DISSENTING OPINION OF JUDGE HACKWORTH

In his dissenting opinion, Judge Hackworth declared that he agreed with the Court's conclusion that the Iranian Declaration applied only to treaties and conventions accepted by Iran subsequent to its ratification. In reaching such a conclusion, the International Court, he argued, must look to the public declarations by States made for international

purposes, and must not resort to municipal legislative enactments such as an Iranian Parliamentary Act to explain ambiguities in international acts.

Judge Hackworth also agreed with the Court that the Concession Agreement of 1933 between Iran and the Anglo-Iranian Oil Company could not be regarded as a treaty or convention in the international law sense, and consequently could not be regarded as coming within the purview of the Iranian Declaration.

He could not, however, agree with the conclusion of the Court that the United Kingdom was not entitled for jurisdictional purposes to invoke, by virtue of the most-favoured-nation clauses in earlier treaties between that country and Iran, provisions of treaties concluded by Iran with other countries subsequent to the ratification of its Declaration.

The provisions with respect to the application of the principles of international law, he said, were not to be found in the most-favoured-nation clause of the earlier treaties of 1857 and 1903 between Iran and the United Kingdom, but were embodied in the later treaties between Iran and Denmark of 1934, between Iran and Switzerland of that same year, and between Iran and Turkey of 1937. It was to these treaties and not to the most-favoured-nation clause that the International Court must look in determining the rights of British nationals in Iran.

It was apparent to Judge Hackworth, using the Danish Treaty as the criterion, that Danish nationals in the territory of Iran and their property were entitled by article IV of the Treaty of 1934 to be treated "in accordance with the principles and practice of ordinary international law". Similar provisions, he said, were contained in Treaties between Iran and Switzerland (1934) and between Iran and Turkey (1937). The United Kingdom was therefore entitled, by virtue of the most-favoured-nation provisions, to claim for British nationals in Iran no less favourable treatment than that promised by Iran to Danish nationals. The United Kingdom contended that the treatment accorded by Iran to the Anglo-Iranian Oil Company was not in keeping with the requirements of international law, and had invoked the Danish Treaty.

The Court, he declared, was not called upon to say whether this contention was or was not warranted. It needed only to say, for present purposes, whether these treaty provisions to which Iran had subscribed brought the case within the purview of the Iranian Declaration accepting compulsory jurisdiction of the Court.

Judge Hackworth found nothing in the Iranian Declaration to suggest that it was necessary that action under it should be premised exclusively on a single treaty. He found nothing to suggest that it was necessary that such an action should be based on a treaty between the plaintiff State and the defendant State. The Declaration, though drafted with meticulous safeguards, he said, did not specify any such condition, nor did it specify that, in considering a dispute as to the application of a treaty or convention accepted by Iran subsequent to the ratification of the Declaration, an earlier treaty might not be drawn upon. All that the Declaration required, in order that the dispute should fall within the competence of the Court, was that it should relate to the application of treaties or conventions accepted by Iran subsequent to the ratification of the Declaration.

In the opinion of Judge Hackworth, the Danish Treaty answered this description. It was in that Treaty and not in the most-favoured-nation clause that the substantive rights of British nationals were to be found. Until that Treaty was concluded, the most-favoured-nation clauses in the British-Persian Treaties were but promises of non-discrimination. But when Iran conferred upon Danish nationals by the Treaty of 1934 the right to claim treatment "in accordance with the principles and practice of ordinary international law," the right thereupon ipso facto became available to British nationals.

In summarizing, Judge Hackworth stated that the United Kingdom had a right to claim the benefits of the Danish Treaty of 1934. It did not matter that that right was acquired through the operation of a most-favoured-nation clause of a treaty anterior to the ratification of the Iranian Declaration. The important thing was that it was a right acquired subsequent to ratification of that Declaration. A conclusion that jurisdiction did not lie, amounted, in his judgment, to giving to the restrictive features of the Iranian Declaration a more far-reaching scope than was warranted by the language there used.

c. DISSENTING OPINION OF JUDGE READ

Judge Read stated that he was unable to concur in the Judgment of the Court in this case, and he concluded that Iran's objections to the Court's jurisdiction should be overruled.

Judge Read rejected the idea of restrictive construction to the provisions of the Iranian Declaration accepting the compulsory jurisdiction of the Court. He stated that the making of a declaration

was an exercise of State sovereignty, and not, in any sense, a limitation thereof. It should therefore be construed in such a manner as to give effect to the intention of the State, as indicated by the words used and not be a restrictive interpretation, designed to frustrate the intention of the State in exercising this sovereign power. He also stated that he had been unable to find any case in which either the Permanent Court of International Justice or the present International Court relied upon a restrictive interpretation to a jurisdictional clause as a basis for its Judgment. Indeed, both Courts, he said, had given to jurisdictional clauses liberal interpretations designed to give full effect to the intentions of the parties concerned.

Judge Read next considered whether Iran by virtue of its Declaration, had consented to the exercise of jurisdiction by the Court in the sort of case which had been brought by the United Kingdom.

The United Kingdom, he said, had invoked the provisions of the most-favoured-nation clause of the Treaty of 1857. It based its case on the provisions of three treaties concluded by Iran, with Denmark and Switzerland in 1934 and by Iran with Turkey in 1937. Dealing with the treaty with Denmark, he declared that there could be no doubt that legally, by virtue of the invocation of the provisions of this treaty, Iran was under a treaty obligation to treat British nationals "in accordance with the principles and practice of ordinary international law."

There were two considerations, stated Judge Read, that strongly supported the interpretation which was based on what he termed the natural and ordinary meaning of the words used. The first was that Iran was certainly aware, at the time of the Declaration, of the existence of the most-favoured-nation clause referred to above. There could be no doubt that Iran envisaged a system of compulsory jurisdiction which would be broad enough to include disputes arising which would relate directly to the application of such clauses and indirectly to the application of subsequent treaties or conventions.

The second consideration was that the arguments which had been advanced as leading Iran to exclude the older treaties from the compulsory jurisdiction of the International Court could have no conceivable application to those modern treaty provisions which had nothing to do with the regime of capitulations indirectly applicable through the medium of most-favoured-nation clauses. It must be borne in mind, he emphasized, that, at the date of the Declaration, article IX of the Treaty of 1857 (relating to the most-favoured-

nation clause) no longer had the character of a provision of an old treaty of the regime of capitulations. Originally, it possessed that character; but in 1928 the United Kingdom concurred in a denunciation of the objectionable provisions of the Treaty. The two States agreed, by an exchange of notes, to maintain the most-favoured-nation clause, article IX, pending the negotiation and conclusion of a new treaty of commerce and navigation. In reality, the most-favoured-nation clause relied upon by the United Kingdom was founded, Judge Read said, upon a new agreement, accepted by Iran before the ratification but after the disappearance of the regime of capitulations.

Further, the most-favoured-nation clauses were reciprocal in character and entirely consistent with the new and independent status resulting from the denunciation of capitulations.

In view of those considerations, he reached the conclusion that the United Kingdom was entitled to invoke the provisions of the Danish Treaty as a basis for the jurisdiction of the International Court. He wished it understood, however, that, in reaching this conclusion, he did not want to prejudge the merits of the case. He could not consider, in a preliminary proceeding, whether the subject-matter of the dispute came within the scope of these provisions, because this question had not been discussed by counsel and because it was essentially a part of the merits. Accordingly and subject to this reservation, he concluded that the present claim was one which was based indirectly on the application of the Danish Treaty, which was accepted by Iran after the date of the Declaration. The Iranian Objection to the Court's jurisdiction as regards this part of the case, should accordingly be overruled, or at most joined to the merits.

In view of the foregoing conclusion, he declared that it was unnecessary for him to discuss that part of the Judgment of the Court which upheld the Iranian Objection on the ground that the Declaration limited the jurisdiction of the Court to disputes relating to treaties or conventions accepted by Iran after the date of the Declaration.

Judge Read then discussed the part of the Court's Judgment which related to the 1933 Agreement—the Concession Convention concluded by Iran with the Anglo-Iranian Oil Company in 1933, through the mediation of the Council of the League of Nations. The United Kingdom had contended that this Concession embodied an implied agreement between it and Iran to the effect that Iran undertook to observe the provisions of its concessionary convention with the Anglo-Iranian Oil Company. It was clear to Judge Read

that the question as to whether such an implied agreement arose between the two Governments in 1933, one fully operative as creating an obligation in international law, was an essential element of the United Kingdom claim on the merits.

It was impossible to overlook the grave injustice which would be done to an applicant State by a Judgment upholding an objection to the jurisdiction and refusing to permit adjudication on the merits, and which, at the same time, decided an important issue of fact or law, forming part of the merits, against the applicant State said Judge Read. The effect of refusal to permit adjudication would be to remit the applicant and respondent States to other measures, legal or political, for the settlement of the dispute. Neither the applicant nor the respondent should be prejudiced, in seeking an alternative solution of the dispute, by the decision of any issue of fact or law that pertained to the merits of the case.

Judge Read therefore concluded that the Court was not competent, in preliminary proceedings and under its Statute and Rules, to decide whether or not an international agreement arose between the two Governments in 1933, one fully operative as creating an obligation in international law. He concluded that the aspect of the Objection relating to the existence and scope of the alleged international agreement should be joined to the merits.

d. DISSENTING OPINION OF JUDGE LEVI CARNEIRO

In his dissenting opinion, Judge Levi Carneiro stated that it was necessary, in determining the jurisdiction of the International Court in the present case, to examine certain questions, or certain facts which might be related to the merits and which were not disputed.

He stated that, as the Concession Agreement of 1933 was not a treaty, it followed that the dispute in regard to its execution did not constitute a ground for the Court's jurisdiction. He hoped, however, that the Court's jurisdiction would evolve in the direction of considering such a contract as the Concession Agreement as a convention of an international scope, even though it was not itself international; the dispute would then fall within the Court's jurisdiction.

Judge Levi Carneiro admitted that the Iranian Declaration accepting compulsory jurisdiction of the Court only accepted the Court's jurisdiction as to disputes arising from treaties subsequent to

19 September 1932. It was therefore necessary to consider whether the treaties with Denmark complied with that condition and were applicable to British nationals, and also whether the United Kingdom Government had reasonable grounds for complaining of a breach of Iran's obligation in regard to the treatment of British nationals.

In the course of the oral arguments, two objections had been put forward. It was contended that the duty of conforming to general international law in the treatment of British nationals did not arise from the Treaties of 1934 and 1937, but from much earlier treaties—the Treaties of 1857 and 1903—which contained the most-favoured-nation clause; the latter Treaties were said to be the principals, the others only accessories. It was further contended that the Act nationalizing the exploitation of oil did not contravene any rule of general international law; in other words, that the Government of Iran, though bound to accord the guarantees of general international law to British nationals, was not debarred from nationalizing the exploitation of oil, in regard to which it had concluded a contract in 1933 with a British company. Judge Levi Carneiro said he was unable to accept either of these two objections.

The manner in which a most-favoured-nation clause operated, said Judge Levi Carneiro, was well known. It did not take effect by itself alone; it operated in due course upon the later treaty which granted some advantage to another nation, and it immediately extended the same advantage to the favoured nation. It could be seen, he said, that it was Iran's treaties with Denmark, Turkey and Switzerland, in 1934 and 1937, and not the treaties of 1857 and 1903 with the United Kingdom, which gave British nationals, in respect of their persons and their property, the guarantee of the general principles of international law. The present dispute related to the violation of these guarantees, that is to say it had direct reference to the application of treaties subsequent to the ratification of Iran's Declaration. For this reason, he argued, even accepting the Iranian construction of this Declaration, the present case was within the Court's jurisdiction.

There had been a breach of the provisions of a treaty in reliance upon which British nationals had invested large sums of money in the territory of Iran, sums which had indeed brought them immense profits, of which they were now dispossessed without any immediate compensation. This, declared Judge Levi Carneiro, was a breach of the fundamental principles of modern international law, of principles recognized by the legal

systems, the decisions and the jurisprudence of civilized countries.

The first duty of the International Court, Judge Levi Carneiro stated, was to ensure the observance of international law and to further its development. Upon an initial examination of the present case, he could not exclude at least the possibility that Iran had violated "the principles and practice of ordinary international law" which it had undertaken to observe in relation to British nationals, and indeed he considered that there were strong indications of such a violation.

He agreed that it was necessary, in order to establish the jurisdiction of the Court, to ascertain whether it was advisable to invoke the "principles of international law" guaranteed by the treaties to which reference had been made. Judge Levi Carneiro deemed it essential to note the violation or, at least, the apparent violation, of the general principles of ordinary international law, by a denial of justice, consisting in the failure to honour the indisputable guarantees granted to British nationals in Iran.

The Iranian Government, he said, had stated expressly that it refused to appoint an arbitrator and to accept the procedure laid down in article 22 of the 1933 Concession. It had justified this decision by the contention that the concession granted to the Anglo-Iranian Oil Company was null and void. This contention, Judge Levi Carneiro, argued, appeared to be ill-founded because neither the Iranian laws of 15 and 20 March 1951, nor that of 1 May of the same year (concerning nationalization), provided for the dissolution of the Anglo-Iranian Oil Company or the annulment of its contract, nor could they, in fact, do so. Even if the annulment of the contract could have been decreed, for the purpose of nationalizing the oil industry, by the unilateral act of one of the parties to the contract—the Iranian Government—it would not follow that this act would exclude the jurisdiction of the arbitral tribunal provided for in article 26 of this contract. The refusal to set up this tribunal, he declared, constituted a denial of justice on the part of the Iranian Government.

In spite of certain proposals and attempts to find a solution, Judge Levi Carneiro declared, the Anglo-Iranian Oil Company had been dispossessed of its concession and of all its property. The Iranian Government considered that, by its own arbitrary authority, the Company had been dissolved and the concession had ceased to exist, without any money having been paid by way of compensation. Provision had merely been made in

the law, on paper, for the establishment of a fund for compensation—nobody knew whether any money at all had yet been paid into this fund; it was impossible to foresee how long it would take for this fund to reach the amount, as yet undetermined, required for compensation; the amount of compensation had not yet been fixed, nor had any adequate procedure been laid down to provide for a just assessment of this amount. The arbitration tribunal provided for in the contract had been ignored and a Parliamentary commission had been substituted for it. All this, he said, gave the impression of disguised confiscation. He considered that the most advanced tendencies of public law had not yet reached the stage where such treatment of a foreign concession and such provisions directed against the rights and property of foreign nationals could be accepted.

To sum up, he was of the opinion that, even if nationalization itself was considered not to be the concern of international law, the circumstances surrounding the action of Iran in the present case were such that they appeared to indicate a very grave violation of the principles of international law. His first impression was that there had been very serious violations of principles, the observance of which had been guaranteed to British nationals in Iran by three treaties subsequent to the ratification of the Iranian Declaration accepting the jurisdiction of the International Court. He therefore considered that the objection to the jurisdiction should be overruled and held that the Court had jurisdiction to decide as to the submission of the dispute to the arbitration tribunal in accordance with the submission of the United Kingdom.

B. THE AMBATIELOS CASE

This case was brought before the Court by Greece by an Application of 9 April 1951,¹² instituting proceedings against the United Kingdom regarding the claim of one of its nationals, the shipowner Nicolas Ambatielos, against the United Kingdom. Mr. Ambatielos was alleged to have suffered considerable loss as a result of a contract which he concluded in 1919 with the British Government (represented by the Ministry of Shipping) for the purchase of nine steamships which were then under construction, and in consequence of certain adverse judicial decisions in the English courts in connexion therewith.

In its Application and its Memorial, filed within the time-limits fixed by the Court's Orders of 18 May and 30 July 1951, Greece asked the Court to declare that it had jurisdiction; that the claim of Mr. Ambatielos against the United Kingdom Government must be submitted to arbitration, either by the procedure instituted by a Protocol of a Greco-British Treaty of Commerce and Navigation of 1886 or, alternatively, by that of a Treaty of Commerce of 1926; and that Greece was entitled to seize the Court of the merits of the dispute.

The United Kingdom, in its Counter-Memorial, filed on 9 February 1952, within the time-limits fixed by the Court's Orders of 30 July and 9 November 1951 and 16 January 1952,¹³ while setting out its arguments and submissions on the merits of the case, contended that the Court lacked jurisdiction in the case and expressly presented this contention as a Preliminary Objection under the Rules of the Court.

The filing of the Preliminary Objection suspended the proceedings on the merits of the case, and the Observations and Submissions of Greece on the Objection were filed on 4 April, the time-limit fixed by the Court by its Order of 14 February.¹⁴

Public hearings on the Preliminary Objection were held on 15 to 17 May 1952. As the Court included on the Bench a judge of the nationality of one of the parties, the other party, Greece, availing itself of its right under the Court's Statute, appointed Jean Spiropoulos to sit as judge ad hoc. The United Kingdom was represented by V. J. Evans, Agent, and Sir Eric Beckett, D.H.N. Johnson and J.E.S. Fawcett, Counsel. Greece was represented by N. G. Lély, Agent, and Sir Hartley Shawcross, C. J. Colombos, Henri Rolin and Jason Stavropoulos, Counsel.

1. Judgment of the Court

The Court delivered its Judgment on the Preliminary Objection on 1 July 1952.¹⁵

In its Judgment the Court referred to the treaty provisions relied on by both parties. These were, in particular:

(1) the Protocol annexed to the Treaty of 1886 which provided that controversies concerning the interpretation or execution of the Treaty or the consequences of viola-

¹² See Y.U.N., 1951. p. 818.

¹³ I.C.J. Reports 1952, p. 7.

¹⁴ I.C.J. Reports 1952, p. 16.

¹⁵ I.C.J. Reports 1952, p. 28.

tions of it were to be submitted to the decisions of commissions of arbitration to be established in accordance with a procedure outlined in the Protocol;

(2) Article 29 of the 1926 Treaty which provided that any dispute concerning the interpretation or application of that Treaty was to be referred for arbitration to the Permanent Court of International Justice unless in any particular case the contracting parties agreed otherwise; and

(3) the Declaration accompanying the 1926 Treaty which stated that this Treaty did not prejudice claims based on the 1886 Treaty and that differences in respect of such claims were to be submitted to arbitration in accordance with the Protocol of 1886.

The Court noted that the commercial relations between Greece and the United Kingdom had been regulated in accordance with the 1886 Treaty until the 1926 Treaty came into force. Although the 1886 Treaty had been denounced by Greece in 1919 and 1924, it was continued in force by successive agreements and exchanges of notes and it was finally agreed that it would lapse on the date the 1926 Treaty came into force.

The Court reviewed the submissions of the parties as they were developed during the proceedings. It stated that it was evident that both parties asked the Court to decide as to its jurisdiction to declare whether there was an obligation to submit the difference to arbitration. It was also evident that both parties envisaged that the Court itself might undertake the function of arbitration, but there appeared to be some doubt as to the conditions upon which the United Kingdom would be prepared to agree to this. In the absence of a clear agreement between the parties on the matter, the Court held that it had no jurisdiction to go into all the merits of the case as a commission of arbitration could do. It held that the question raised in the United Kingdom Counter-Memorial as to whether Greece was precluded by lapse of time from submitting the claim was a point to be considered with the merits and not at the current stage of proceedings.

The Court then examined the seven main arguments advanced by the United Kingdom in support of its Preliminary Objection and those put forward by Greece in reply.

The United Kingdom submitted:

(1) that the jurisdiction of the Court, if it existed at all, must be derived from article 29 of the Treaty of 1926; and

(2) that this Treaty only conferred jurisdiction on the Court to deal with disputes relating to the interpretation or application of the provisions of this Treaty itself.

The Court noted that since Greece had not accepted the Court's compulsory jurisdiction it

could only invoke the Court's jurisdiction by virtue of a special agreement or the provisions of a treaty. Article 29 of the 1926 Treaty, on which Greece relied, provided for reference of disputes concerning its interpretation or application to the Permanent Court of International Justice and Article 37 of the Statute of the International Court of Justice provided that references in treaties to the Permanent Court should be construed as references to the International Court. Thus, any dispute as to the interpretation or application of any of the provisions of the 1926 Treaty were referable by either party to the International Court.

The third and fourth points raised by the United Kingdom related to the question of the retroactive operation of the Treaty of 1926. In this connexion, Greece advanced a "similar clauses theory", to the effect that where in the 1926 Treaty there were substantive provisions similar to substantive provisions of the 1886 Treaty, then under article 29 of the 1926 Treaty the International Court could adjudicate upon the validity of a claim based on an alleged breach of any of the similar provisions, even if the breach took place before the new Treaty came into force. The United Kingdom maintained that the 1926 Treaty came into force only in July 1926 and its provisions were not applicable to events prior to that date, whether or not the 1886 Treaty and the 1926 Treaty contained similar provisions. The acts on which the Greek Government's claim was based took place in 1922 and 1923 and therefore the 1926 Treaty did not apply to them.

The Court held that the 1926 Treaty had no retroactive effect. Article 32 of that Treaty stated that the Treaty would come into effect upon ratification and there was no special clause or special object necessitating retroactive interpretation. Moreover, the Declaration accompanying the Treaty of 1926 made no distinction between claims based on one class of provisions of the 1886 Treaty and those based on another class; there was no justification for concluding that differences concerning claims based on provisions of the 1886 Treaty which were similar to provisions of the 1926 Treaty should be arbitrated according to the procedure provided in the latter Treaty, while differences relating to other claims under the 1886 Treaty should be arbitrated according to the Protocol of the earlier Treaty.

The fifth point raised by the United Kingdom was that the Declaration which was signed at the same time as the 1926 Treaty was not a part of that Treaty, and that the provisions of

the Declaration were not provisions of the Treaty within the meaning of article 29. Both parties, the Court observed, agreed that this was the most important issue in the case.

The Court observed that the United Kingdom, in support of its contention, argued that the Declaration was signed separately from the Treaty proper, though by the same signatories and on the same day. The Declaration referred not to "this Treaty" or "the present Treaty" but to "the Treaty . . . of to-day's date", thereby indicating that the Treaty had already been completed and signed. Moreover, the Declaration did not state that it was to be regarded as a part of the Treaty, in contrast to a similar Declaration annexed to a Greco-Italian Commercial Treaty of 24 November 1926.

The Court, however, did not share the United Kingdom view. It noted that the Treaty, the Customs Schedule annexed to it (which was undoubtedly part of the Treaty) and the Declaration were included in a single document, published in the same way in the British Treaty Series and registered under a single number with the League of Nations. Further, the instruments of ratification cited the three texts without making any distinction between them. The text of the United Kingdom ratification even declared that the "Treaty is, word for word, as follows"; after which it cited the three texts in their entirety.

The Court held also that the nature of the Declaration pointed to its being a part of the 1926 Treaty. It recorded an understanding arrived at by the parties before the 1926 Treaty was signed as to what that Treaty—or the replacement of the Treaty of 1886 by that of 1926—would not prejudice. The intention of the Declaration was to prevent the new Treaty from being interpreted as wiping out all the provisions of the 1886 Treaty and thus prejudicing claims based on the older Treaty and the remedies provided for them. Thus the Declaration was in the nature of an interpretation clause and, as such, should be regarded as an integral part of the Treaty even if this was not specifically stated.

The Court, therefore, held that the provisions of the Declaration were provisions of the Treaty within the meaning of article 29, and that it had therefore jurisdiction to decide any dispute as to the interpretation or application of the Declaration and, in a proper case, to judge that there should be a reference to a commission of arbitration. Any differences as to the validity of the claims involved would, however, have to be arbitrated, as provided in the Declaration itself, by the commission. The Court considered that

there would be no possibility of a conflict between a decision of the Court and an eventual decision by a commission of arbitration. The Court would decide as to whether there was a difference between the parties within the meaning of the Declaration of 1926 and therefore an obligation to submit the difference to a commission of arbitration; the commission would decide on the merits of the difference. The Declaration, in laying down a special arbitral procedure, merely excluded the Court from functioning as the commission of arbitration.

The sixth United Kingdom argument was that the Declaration only covered claims formulated before it was signed, and the Greek Government had not formulated any legal claim in respect of Mr. Ambatielos until 1933, nor any legal claim under the 1886 Treaty until 1939.

The Declaration, however, the Court observed, contained no reference to the date of formulation of the claims; its only requirement was that they should be based on the 1886 Treaty. Moreover, if the United Kingdom interpretation were accepted, claims based on the 1886 Treaty but brought after the conclusion of the 1926 Treaty would be left without solution. They could not be arbitrated under either Treaty, although the provision on whose breach the claim was based might appear in both Treaties. The Court stated that it could not accept an interpretation which would have a result obviously contrary to the language of the Declaration and the continuous will of the parties to submit all differences to arbitration.

The final United Kingdom argument was to the effect that the 1886 Treaty contained no provisions incorporating the general principles of international law regarding the treatment of foreigners, and therefore it could not be said that an alleged denial of justice, considered merely as a breach of the general principles of international law, was a breach of that Treaty. The Court stated that as this point had not been fully argued by the parties it could not be decided at that stage.

For these reasons, the Court found, by 13 votes to 2, that it was without jurisdiction to decide on the merits of the Ambatielos claim; and by 10 votes to 5, that it had jurisdiction "to decide whether the United Kingdom is under an obligation to submit to arbitration, in accordance with the Declaration of 1926, the difference as to the validity of the Ambatielos claim, in so far as this claim is based on the Treaty of 1886."

The Court decided that the time-limits for the filing of a Reply and a Rejoinder should be fixed by subsequent Order.¹⁶

Judge Levi Carneiro and Mr. Spiropoulos, Judge ad hoc, appended their individual opinions to the Judgment. President Sir Arnold McNair, and Judges Basdevant, Zoricic, Klaestad and Hsu Mo appended to the Judgment statements of their individual dissenting opinions.

Judge Alvarez declared that there were in the case sufficient grounds for holding that the Court had jurisdiction to deal with the merits of the Ambatielos claim.

2. Individual Opinions

Judge Carneiro in his individual opinion stated that he accepted the conclusions of the Judgment, but drew attention to some secondary differences of view and referred to certain considerations influencing him which had not been dealt with in the Judgment.

He considered that in order to establish the Court's jurisdiction it should have been decided that the Ambatielos claim was "based" on the 1886 Treaty. This, he held, could be inferred from the declarations of the parties. It meant that the dispute was within the framework of the Declaration of 1926 and the Court's jurisdiction resulted from this fact.

He had been in favour of affirming or denying at the current stage of the proceedings the obligation to submit the claim to arbitration, but recognized that the Judgment dealt solely with the Preliminary Objection. He agreed that the Court was not invested with jurisdiction to decide on the merits by the declarations of the Agents or Counsel of the parties. It should, he considered, be expressly stated that the Court could assume the function of the arbitral commission as a result of a special agreement between the two Governments.

One of the points which would have to be decided at the second stage of the proceedings concerned the United Kingdom's final argument that the alleged denial of justice committed in violation of the general principles of international law did not constitute a violation of the 1886 Treaty because that Treaty did not incorporate those principles. The reason for deferring a decision on this argument was not that it had not been sufficiently argued, but that it belonged to the merits of the case.

Judge Carneiro emphasized the juridical nature of the 1926 Declaration as being of an

interpretative nature and therefore an integral part of the 1926 Treaty. Unless this interpretation were adopted there would be no pre-established procedure for the settlement of disputes concerning the interpretation and application of the Declaration, a situation all the more unacceptable because international law was above all directed to the pacific settlement of disputes and the interpretation and application of treaties was the special domain of arbitration.

Finally, as regards the retroactive application of provisions relating to jurisdiction, Judge Carneiro held, such an application could only be allowed when expressly provided for. In the 1926 Treaty it had been expressly excluded.

Mr. Spiropoulos, in his individual opinion, confined himself to the points on which he disagreed with the wording of the paragraph of the Judgment in which the Court established its jurisdiction to adjudicate on the merits of the case.

This paragraph, he stated, appeared to impose on the applicant State the duty of establishing that the Ambatielos claim was based on the 1886 Treaty. But it was well recognized that an arbitral tribunal decides on its own jurisdiction. In this case, if the United Kingdom had accepted recourse to arbitration, it would have been for the commission of arbitration to decide whether the Ambatielos claim was, or was not, based on a provision of the Treaty of 1886; the obligation of the United Kingdom to accept arbitration was independent of whether the claim was so based, and would exist even if the claim was not based on that Treaty.

Moreover, since the Court was at this time only deciding on the objection to its jurisdiction, it could not, for procedural reasons, now pass on the validity of the Greek claim that the United Kingdom was obliged to arbitrate; such a decision would require a preliminary finding that the Court had jurisdiction.

When a State bound itself by a compulsory arbitration clause, such as that contained in the 1886 Protocol, it could not, unless in very exceptional circumstances, have any ground for refusing an offer to arbitrate, Mr. Spiropoulos stated.

The Court, therefore, in his opinion should have limited itself to a finding that it had jurisdiction to decide whether the United Kingdom

¹⁶ In an Order of 18 July 1952, the Court fixed 3 October as the date of expiry of the time-limit for the filing of the Greek Reply and 6 January 1953 as the date of expiry for the filing of the United Kingdom Rejoinder. (I.C.J. Reports 1952, p. 90.)

had an obligation to submit the difference concerning the *Ambatielos* claim to arbitration in accordance with the Declaration of 1926 and should not have referred to the Treaty of 1886.

3. Dissenting Opinions

President McNair, in his dissenting opinion, maintained that the Court had no jurisdiction in the case, either on the merits of the claim or on the obligation to arbitrate. In particular, he held that the 1926 Declaration was not an integral part of the 1926 Treaty within the meaning of article 29 of that Treaty on which the Court's jurisdiction was based.

Both in the British Treaty Series and in the League of Nations Treaty Series, he pointed out, the 1926 Treaty was followed by the Schedule and afterwards by the Declaration. The Schedule was specifically incorporated in the Treaty; the Declaration was not. The United Kingdom instrument of ratification embodied all three documents, therefore it was necessary to hold that the Declaration, although it did not require ratification, had been ratified at the same time as the Treaty with its Schedule. But this did not make all the documents comprised in the ratification parts of the same Treaty unless so incorporated by virtue of the intention of the parties. This was often expressly stipulated, or else it was implied from the judicial nature of the document and its relation to the Treaty.

President McNair did not agree that it could be inferred from the expression "which treaty is, word for word, as follows" that all the documents which followed must be regarded as forming one treaty. This was a traditional routine formula which had been in use for at least 600 years, and which was therefore not a guide to the intention of the parties. Moreover, although articles in the Treaty referred to "the present Treaty" or "this Treaty", the Declaration referred to "the Treaty of Commerce and Navigation between Great Britain and Greece of to-day's date". It might thereby be inferred that the signatories of the Declaration did not regard it as part of the 1926 Treaty; had they done so they would have been unlikely to have used the expression "Our two Governments", more appropriate to an exchange of assurances than to a treaty.

As regards the juridical nature of the Declaration and its relation to the Treaty, President McNair stated that the reason for the 1926 Declaration was that claims under the 1886 Treaty should not be adversely affected through the lapse of

the arbitral procedure provided for in the Protocol of 1886 upon the expiry of the 1886 Treaty by reason of its denunciation by the Greek Government. The Declaration did not, therefore, concern anything contained in the 1926 Treaty but related to something external and collateral to it.

The other factors, he held, supported the conclusion that the Declaration was not part of the 1926 Treaty:

(1) that there was a difference in the periods of duration of the Treaty and the Declaration; and

(2) that the Declaration contained its own machinery for the settlement of disputes concerning claims based on the 1886 Treaty independent of the machinery provided in article 29 of the 1926 Treaty.

Even if the provisions of the Declaration were among the provisions of the 1926 Treaty, President McNair considered, the existence of special machinery for dealing with disputes contained in the Declaration excluded the application of the general provisions of article 29.

Judge Basdevant, in his dissenting opinion, considered the Greek submissions: (1) that the Court should deal with the merits of the *Ambatielos* claim; and (2) that it should decide as to the obligation to refer this claim to the arbitration provided for by the 1886 Protocol. He also dealt with the United Kingdom objection to these submissions.

As regards the merits of the case, he stated that the facts on which Greece based its complaint occurred before the conclusion of the 1926 Treaty and therefore article 29 of that Treaty, which gave the Court jurisdiction over disputes "as to the proper interpretation or application of the present Treaty", was not applicable to them. The fact that there were similar provisions in the 1886 and 1926 Treaties could not make the latter Treaty applicable to facts occurring before it came into force. This was clear from the 1926 Declaration which provided that differences regarding claims based on the 1886 Treaty should be settled by the arbitral procedure created by the 1886 Protocol; it did not substitute for that procedure judicial proceedings before the court. Judge Basdevant therefore held that the Court had no jurisdiction to deal with the merits of the *Ambatielos* claim.

As regards the Court's jurisdiction to decide on the obligation to refer the claim to arbitration, Judge Basdevant held that the 1926 Declaration was distinct from the 1926 Treaty and not a clause or provision of that Treaty. The drafting and signature of a treaty, he observed, were the acts by which the will of the contracting States were expressed; the will so expressed was confirm-

ed by ratification. The details of recording these acts in instruments, which usually followed a form derived from tradition, were not a determining influence in determining the true meaning of the agreement. Those responsible had chosen to give the agreement concerning the 1886 Treaty the form of a provision separate from the 1926 Treaty; they had given it the title of a Declaration, not that of an additional article, had signed it separately from the Treaty, and had made no reference to it in the Treaty, in contrast to the Schedule. The ratifications merely confirmed the agreements reached by the respective plenipotentiaries. The independent character of the Declaration, he considered, was also shown by its substance. It did not explain any clause of the Treaty of 1926, but was an agreement relating to one of the effects of the lapsing of the 1886 Treaty through its denunciation. Therefore, he held, article 29 of the 1926 Treaty was not applicable to the Declaration.

The Declaration was designed to preserve the regime of the Protocol of 1886 as it stood; under that regime arbitration could be frustrated by the refusal of a party to appoint an arbitrator. If the framers of the Declaration had intended to remedy this defect they could have substituted the Court's jurisdiction for the arbitral procedure provided for in 1886. Moreover, the obligation to arbitrate, if it existed, rested on the Treaty and Protocol of 1886, and the dispute concerning the existence of such an obligation was a dispute concerning the interpretation and application of that Treaty and Protocol. Article 29 of the 1926 Treaty did not confer on the Court jurisdiction to adjudicate such a dispute.

Judge Basdevant concluded that the Court had not been given jurisdiction to decide whether there was an obligation to submit the claim to arbitration.

Judge Zoricic in his dissenting opinion considered that the contents of the Declaration were chiefly important in deciding if it was a part of the 1926 Treaty. The Declaration had been drawn up and signed as a separate instrument with a title of its own and neither the Treaty nor the Declaration mentioned the Declaration as part of the Treaty, although specific mention was made in the Treaty of the Customs Schedule. Ratification of the documents meant that they were part of a simultaneous agreement, but this did not prove that the Declaration was a part of the Treaty. It was drawn up subsequently to and independently

of the Treaty. But the point of real importance was the terms of the text, the intentions of the parties and the purposes which the text was to serve. The purpose of the Declaration was to safeguard rights founded on the 1886 Treaty not to interpret the 1926 Treaty or form a reservation to it; it did not explain anything in the 1926 Treaty. The Declaration was a partial prolongation of the 1886 Treaty; the only relation between it and the 1926 Treaty was a coincidence of dates resulting from a special agreement. The Declaration was, therefore, not a provision of the 1926 Treaty within the meaning of article 29. When drawing up the Treaty the parties could not have had in mind the Declaration which was prepared subsequently to the Treaty and relating to a subject foreign to it.

Further, the 1886 arbitration system was the only one applicable to disputes mentioned in the Declaration. The parties would not have intended to introduce a system of dual jurisdiction which could only lead to complications, since it would be impossible to draw a demarcation line between the jurisdiction of the Court and that of the commission of arbitration. Both article 29 and the Declaration conferred jurisdiction without qualification. Either the Court had jurisdiction to interpret and apply the Declaration or it had not, and if it had jurisdiction it would have to decide at least whether the claim satisfied the conditions of the Declaration, a question pertaining to the merits of the case. But, according to the Declaration, the commissions of arbitration were to decide not only on the validity of the claims but also on the applicability of the conditions of the Declaration. This would lead to much overlapping and confusion between the Court's jurisdiction and that of the commissions of arbitration clearly not intended by the parties. Judge Zoricic therefore held that the Declaration could not be regarded as a provision of the 1926 Treaty within the meaning of article 29 and that in consequence the Court was without jurisdiction in the case.

Judge Klaestad in his dissenting opinion stated that the facts invoked by Greece related to the period 1919-23 and could not be held to be a breach of the 1926 Treaty which did not at that time exist. It made no difference in this regard that the 1886 Treaty and the 1926 Treaty contained similar provisions; the two Treaties were independent legal instruments, governed by different arbitration clauses.

As regards the contention that the Declaration was a provision of the 1926 Treaty, Judge Klaestad considered that, in regard to form, the two documents were separate instruments drafted and issued as separate documents and signed separately. Although both documents were signed at the same time by the same signatories and the Declaration was ratified by both Governments together with the Treaty, this did not mean that they were necessarily part of the same document. As to substance, nothing in the Treaty or in the Declaration indicated that the Declaration was to be regarded as part of the Treaty. The Declaration was not an interpretation or application of the provisions of the Treaty, nor did it modify the Treaty. It only kept alive claims under the 1886 Treaty when that Treaty disappeared. He concluded that the Declaration did not form part of the Treaty.

The Declaration provided that particular claims based on the 1886 Treaty were to be referred to arbitration in accordance with the 1886 Protocol—this special arbitration clause prevailed over the general arbitration clause contained in article 29 of the 1926 Treaty. In fact, the two methods of arbitration were preserved side by side, and article 29 did not cover disputes mentioned in the Declaration.

If the Declaration formed part of the 1926 Treaty and the Court had jurisdiction to interpret and apply it, it followed that the Court would have to determine the conditions under which the dispute would have to be submitted to arbitration and to ascertain whether they were fulfilled. But the merits of the dispute could not be referred to the Court since it was expressly provided in the Declaration that claims based on the 1886 Treaty should be referred to the arbitral commission. Thus there would be established a dual arbitration procedure for two parts of the same dispute so time-wasting and unusual that it could hardly have been contemplated. The Declaration had in fact only provided that disputes based on the 1886 Treaty would be referred to arbitration in accordance with the 1866 Protocol. Moreover, it was for an international tribunal to determine its own competence, failing provisions to the contrary, so it would be for the arbitral commission, not for the Court, to determine the competence of that commission. Such a function could hardly have been given to both bodies since they might arrive at different results.

Judge Klaestad therefore held that the Court lacked jurisdiction in the case. This, he considered, was borne out by the note from Greece to the United Kingdom of 6 August 1940 in which it was stated that the "Arbitral Committee provided for by the final Protocol of the Greco-British Commercial Treaty of 1886 is the only competent authority in the matter . . ."

Judge Hsu Mo in his dissenting opinion considered that the dispute was, in effect, one concerning the interpretation and application of the Declaration. The fact that the Declaration appeared at the end of the 1926 Treaty and was signed on the same day, and that the different instruments might be considered to have been ratified together merely meant that the documents had an equal importance in law and not that the Declaration was an integral part of the 1926 Treaty, within the meaning of article 29. The function of the Declaration was to keep alive provisions of the 1886 Treaty in order to deal with claims based on that Treaty. It did not affect the operation of the 1926 Treaty; both were separate agreements with their own field of operation. The independent nature of the Declaration was confirmed by the fact that the Declaration and article 29 of the 1926 Treaty provided distinctive methods of arbitration, the one to apply to disputes concerning the 1886 Treaty, the other to disputes concerning the new Treaty. It was difficult to believe that the parties wished to divide the process of settling claims under the 1886 Treaty into two stages, under which (1) disputes concerning the obligation to submit differences to arbitration would first be decided by the Permanent Court of International Justice which would therefore have to decide the existence or non-existence of a claim and whether it was based on the 1886 Treaty, etc. and (2) the commission of arbitration would then have to decide on the validity of a claim. Had the parties so wished they could have stipulated that the procedure set out in article 29 of the 1926 Treaty should be substituted for that of the Protocol of 1886.

Even were the Declaration an integral part of the 1926 Treaty, it contained a specific arbitration clause which would, in accordance with established practice, have to prevail over the general arbitration provision contained in article 29 of that Treaty.

Judge Hsu Mo therefore held that the Court lacked jurisdiction in the case.

C. CASE CONCERNING RIGHTS OF NATIONALS OF THE UNITED STATES IN MOROCCO (FRANCE vs. UNITED STATES)

On 28 October 1950 France filed in the Registry of the International Court of Justice an Application instituting proceedings before the Court against the United States, concerning the rights of nationals of the United States in Morocco.

The Application was communicated to the United States as well as to the States entitled to appear before the Court; it was also transmitted to the Secretary-General of the United Nations.

France in its Memorial of March 1951 quoted several provisions of the General Act of the International Conference of Algieras of 7 April 1906 and drew conclusions from it as to the rights of the United States. As the construction of a convention to which States other than those concerned in the case were parties was in question, the Court's Registrar, in conformity with the Statute of the Court, on 6 April 1951 notified the following States: Belgium, Spain, Italy, the Netherlands, Portugal, the United Kingdom and Sweden.

On 25 June 1951 the United States filed a Preliminary Objection. The proceedings on the merits were thereby suspended. The proceedings instituted by the Preliminary Objection were, however, terminated following a declaration by the United States that it was prepared to withdraw its objection because of the explanations given by France. France had explained¹⁷ that it was proceeding in the case both on its own account and as Protecting Power in Morocco, the Judgment of the Court to be binding upon France and Morocco. As France did not oppose this withdrawal, the Court, in an Order of 31 October 1951, placed on record the discontinuance, recorded that the proceedings on the merits were resumed, and fixed new time-limits for the filing of the Counter-Memorial, Reply and Rejoinder.

The Counter-Memorial and Reply were filed within the time-limits fixed. The time-limit for the Rejoinder, at the request of the United States, was extended; it was filed on 18 April 1952. Public hearings were held on 15 to 17, 21 to 24 and 26 July 1952, during which the Court heard Andre Gros and Paul Reuter on behalf of France, and Adrian S. Fisher and Joseph M. Sweeney on behalf of the United States.

At the conclusion of the argument before the Court, the parties presented their submissions. These related to the following principal points:

(1) The application to nationals of the United States of a Residential Decree of 30 December 1948, issued

by the Resident General of the French Republic in Morocco, by which imports without official allocation of currency (including such imports from the United States) were, in the French Zone of Morocco, subjected to a system of licensing control, while imports from France or the French Union were exempt from such control.

(2) The extent of the consular jurisdiction which the United States may exercise in the French Zone of Morocco.

(3) The right to levy taxes on nationals of the United States in Morocco (the question of fiscal immunity); with particular reference to the consumption taxes provided for by a Shereefian Dahir (Decree of the Sultan of Morocco) of 28 February 1948.

(4) The method of assessing the value, under Article 95 of the General Act of Algieras of 1906, of goods imported into Morocco.

1. Judgment of the Court

On 27 August 1952 the Court delivered its Judgment.¹⁸

The Court first dealt with the dispute relating to the Decree of 30 December 1948 issued by the Resident General of the French Republic in Morocco, concerning the regulation of imports not involving an allocation of currency into the French Zone of Morocco. The effect of this Decree was to subject imports without official allocations of currency to a system of licensing control; however, imports from France and other parts of the French Union were not subject to the regulations, but remained free.

France submitted that this Decree was in conformity with the treaty provisions which were applicable to Morocco and binding on France and the United States.

The United States disputed the French submissions. It submitted that its treaty rights in Morocco forbade Morocco to impose prohibitions on American imports, save those specified by the treaties, and that these rights were still in full force and effect. The Decree of 30 December 1948 was therefore, it submitted, in direct contravention of the treaty rights of the United States which forbade prohibitions on American imports. American nationals could not legally be submitted to this Decree, without the prior consent of the United States, it contended.

In its Judgment the Court stated that it was common ground between the parties that the

¹⁷ See Y.U.N., 1951, pp. 817-18.

¹⁸ I.C.J. Reports 1952, p. 176.

characteristic of the status of Morocco, as resulting from the General Act of Algeciras, was respect for the three principles stated in the Preamble of the Act, namely: "the sovereignty and independence of His Majesty the Sultan, the integrity of his domains, and economic liberty without any inequality."

By the Treaty of Commerce with Great Britain of 9 December 1856, as well as by treaties of 20 November 1861 with Spain and of 1 June 1890 with Germany, the Sultan of Morocco, the Court noted, guaranteed certain rights in matters of trade, including imports into Morocco. These States, together with a number of other States, including the United States, were guaranteed equality of treatment by virtue of most-favoured-nation clauses in their treaties with Morocco. On the eve of the Algeciras Conference, the three principles mentioned above, including the principle of "economic liberty without any inequality", were expressly accepted by France and Germany in an exchange of letters of 8 July 1905 concerning their attitude with regard to Morocco. This principle, in its application to Morocco, the Court emphasized, was thus already well established when it was reaffirmed by that Conference and inserted in the Preamble of the Act of 1906. Considered in the light of these circumstances, it seemed clear to the Court that the principle was intended to be of a binding character and not merely an empty phrase.

The establishment of the French protectorate over Morocco by the Treaty of 30 March 1912, between France and Morocco, the Court said, did not involve any modification in this respect. Commercial or economic equality in Morocco was assured to the United States, not only by Morocco, but also by France as the Protecting State. The rights of France in Morocco, the Court asserted, were defined by the Protectorate Treaty of 1912. In economic matters France was accorded no privileged position in Morocco. Such a privileged position, in the opinion of the Court, would not be compatible with the principle of economic liberty without any inequality, on which the Act of Algeciras was based.

It followed from these considerations, the Court declared, that the provisions of the Decree of 30 December 1948 contravened the rights which the United States had acquired under the Act of Algeciras, because they discriminated between imports from France and other parts of the French Union, on the one hand, and imports from the United States on the other. France was exempted from control of imports without allocation of currency, while the United States was subjected

to such control. This differential treatment, the Court said, was not compatible with the Act of Algeciras, by virtue of which the United States could claim to be treated as favourably as France as far as economic matters in Morocco were concerned.

This conclusion, the Court indicated, could also be derived from the Treaty between the United States and Morocco of 16 September 1836, article 24, where it was "declared that whatever indulgence, in trade or otherwise, shall be granted to any of the Christian Powers, the citizens of the United States shall be equally entitled to them". Having regard to the conclusion already arrived at on the basis of the Act of Algeciras, the Court limited itself to stating as its opinion that the United States, by virtue of this most-favoured-nation clause, had the right to object to any discrimination in favour of France in the matter of imports into the French Zone of Morocco.

The Court stated that it did not consider it necessary to pronounce upon the French contentions purporting to demonstrate the legality of exchange control. Even assuming this legality, the fact nevertheless remained that the measures applied by virtue of the Decree of 30 December 1948 involved a discrimination in favour of imports from France and other parts of the French Union. This discrimination could not be justified by considerations relating to exchange control.

For these reasons, the Court in its Judgment unanimously rejected the French submission that the Decree of 30 December 1948 was in conformity with the economic system which was applicable to Morocco. The Court said that it was not called upon to consider and decide the general question of the extent of the control over importation that might be exercised by the Moroccan authorities.

The Court next considered the extent of the consular jurisdiction of the United States in the French Zone of Morocco. The French submission in this regard read as follows:

"That the privileges of the nationals of the United States of America in Morocco are only those which result from the text of Articles 20 and 21 of the Treaty of September 16th, 1836, and that since the most-favoured-nation clause contained in Article 24 of the said Treaty can no longer be invoked by the United States in the present state of the international obligations of the Shereefian Empire, there is nothing to justify the granting to the nationals of the United States of preferential treatment which would be contrary to the provisions of the treaties."¹⁹

The United States submission concerning consular jurisdiction read as follows:

¹⁹ I.C.J. Reports 1952, p. 186.

"3. The jurisdiction conferred upon the United States by the Treaties of 1787 and 1836 was jurisdiction, civil and criminal, in all cases arising between American citizens.

"In addition, the United States acquired in Morocco jurisdiction in all cases in which an American citizen or protege was defendant through the effect of the most-favoured-nation clause and through custom and usage.

"Such jurisdiction was not affected by the surrender by Great Britain in 1937 of its rights of jurisdiction in the French Zone of Morocco.

"Such jurisdiction has never been renounced, expressly or impliedly, by the United States."²⁰

The Court stated that it was common ground between the parties that the present dispute was limited to the French Zone of Morocco. The Court could not, therefore, pronounce upon the legal situation in other parts of Morocco.

In order to consider the extent of the rights of the United States relating to consular jurisdiction, the Court said that it was necessary to examine three groups of treaties. The first group included the bilateral treaties of Morocco with France, the Netherlands, Great Britain, Denmark, Spain, the United States, Sardinia, Austria, Belgium and Germany, which covered the period from 1631 to 1892. These treaties, which were largely concerned with commerce, including the rights and privileges of foreign traders in Morocco, dealt with the question of consular jurisdiction. Under this group, the most extensive privileges of consular jurisdiction were granted by Morocco in treaties with Great Britain in 1856 and Spain in 1861, which ensured the rights of nationals of those countries, even when defendants, to be judged by their own consular courts. The Court stated that when these privileges were granted to Great Britain and to Spain, they were applied automatically and immediately to the benefit of the other Powers by virtue of the operation of the most-favoured-nation clauses in treaties between those Powers and Morocco.

The second group, which consisted of multi-lateral treaties such as the Madrid Convention of 1880 and the Act of Algeciras of 1906, imposed an element of restraint upon the interested Powers. Accordingly, the rights of protection were restricted, and some of the limitations on the powers of the Sultan of Morocco as regards foreigners, which had resulted from the provisions of the earlier bilateral treaties, were abated.

The third group of treaties concerned the establishment of the protectorate by France over Morocco. It included the agreements which preceded the assumption by France of a protectorate over Morocco, and the Treaty of Fez of 1912. Under this Treaty, Morocco remained a sovereign

States but it made an arrangement whereby France undertook to exercise certain sovereign powers in the name and on behalf of Morocco, and, in principle, all of the international relations of Morocco. France, the Court said, in the exercise of this function, was bound not only by the provisions of the Treaty of Fez, but also by all treaty obligations to which Morocco had been subject before the protectorate and which had not since been terminated or suspended by arrangement with the interested States.

The establishment of the protectorate, and the organization of the tribunals of the protectorate which guaranteed judicial equality to foreigners, brought about a situation essentially different from that which had led to the establishment of consular jurisdiction under the earlier treaties. Accordingly, the Court explained, France initiated negotiations designed to bring about the renunciation of the regime of capitulations by the Powers exercising consular jurisdiction in the French Zone. In the case of all the Powers except the United States, these negotiations led to a renunciation of capitulatory rights (rights of sovereignty capitulated by one country to another) and privileges which, in the case of Great Britain, was embodied in the Convention of 29 July 1937. The United States, however, reserved its treaty rights in all negotiations.

The French submission, the Court noted, was based upon the Treaty between the United States and Morocco of 16 September 1836, and it was common ground between the parties that the United States was entitled to exercise consular jurisdiction in the case of disputes arising between its citizens or proteges. There was therefore no doubt as to the existence of consular jurisdiction in this case, the Court stated. The only question to be decided was the extent of that jurisdiction in 1950, when the Application was filed.

The first point raised by the submissions, the Court stated, related to the scope of the jurisdictional clauses (20 and 21) of the Treaty of 1836, which provided, *inter alia*, that "If any of the citizens of the United States, or any persons under their protection, shall have any dispute with each other, the Consul shall decide between the parties . . ." The United States argued that these clauses should be construed as giving consular jurisdiction over all disputes, civil and criminal, between United States citizens and proteges. France, on the other hand, contended that the word "dispute" was limited to civil cases. The Court construed the word "dispute" as referring

²⁰ I.C.J. Reports 1952, p. 186.

both to civil disputes and to criminal disputes, in so far as they related to breaches of the criminal law committed by a United States citizen or protege upon another United States citizen or protege.

The second point arose out of the United States submission that consular jurisdiction was acquired "in all cases in which an American citizen or protege was defendant through the effect of the most-favoured-nation clause and through custom and usage" and that such jurisdiction was not affected by the surrender by Great Britain in 1937 of its rights of jurisdiction in the French Zone and had never been renounced expressly or impliedly by the United States.

As a result of the treaty of Morocco with Great Britain of 1856 and of Morocco with Spain in 1861, the Court explained, the United States, by virtue of the most-favoured-nation clauses, acquired civil and criminal consular jurisdiction in all cases in which United States nationals were defendants. The controversy between the parties with regard to consular jurisdiction resulted from the renunciation of capitulatory rights and privileges by Spain in 1914 and by Great Britain in 1937. The renunciation by Spain in 1914 had no immediate effect upon the United States position because it was still possible to invoke the provisions of the Treaty of 1856 with Great Britain. After 1937, however, no Power other than the United States had exercised or been entitled to exercise consular jurisdiction in the French Zone of Morocco.

France contended that, from the date of the renunciation of the right of consular jurisdiction by Great Britain, the United States was not entitled, either through the operation of the most-favoured-nation clauses of the Treaty of 1836 or by virtue of the provisions of any other treaty, to exercise consular jurisdiction beyond those cases covered by the jurisdictional clauses (articles 20 and 21) of the Treaty of 1836.

The Court dealt individually with a series of six contentions, upon which the United States submission was based.

The first contention was based upon article 17 of the Madrid Convention of 1880, which stated that the "right to the treatment of the most-favoured-nations is recognized by Morocco as belonging to all the Powers represented at the Madrid Conference".

The Court declared that even if it could be assumed that this article operated as a general grant of most-favoured-nation rights to the United States and was not confined to the matters dealt with in the Madrid Convention, it would

not follow that the United States was entitled to continue to invoke the provisions of the British and Spanish Treaties, after they had ceased to be operative as between Morocco and the two countries in question.

The provisions of article 17 of the Madrid Convention, in the view of the Court, were clearly based on the maintenance of equality. The United States contention, said the Court, would run contrary to the principle of equality and it would perpetuate discrimination. The Court could not support such a contention.

The second United States contention was based upon the geographically limited character of the renunciation of consular jurisdiction by Great Britain. This was restricted in its scope to the French Zone.

The United States argued that Great Britain retained its jurisdictional rights in the Spanish Zone and it further argued that "the United States, which still treats Morocco as a single country, is entitled under the most-favoured-nation clause in article 24 of its treaty to the same jurisdictional rights which Great Britain today exercises in a part of Morocco by virtue of the Treaty of 1856."

The Court declared that it was not called upon to determine the existence or extent of the jurisdictional rights of Great Britain in the Spanish Zone. It was sufficient to reject this argument on the ground that it would lead to a position in which the United States was entitled to exercise consular jurisdiction in the French Zone notwithstanding the loss of this right by Great Britain. This result would be contrary to the intention of the most-favoured-nation clauses to establish and maintain at all times fundamental equality without discrimination as between the countries concerned. The Court could not, therefore, accept this second contention.

The third contention was based upon the nature of the arrangements which led to the termination of Spanish consular jurisdiction in the French Zone. The United States contended that it was entitled, by virtue of the most-favoured-nation clauses, to invoke in respect of the French Zone those provisions of the Spanish Treaty of 1861 which concerned consular jurisdiction.

By a Convention between France and Spain of 27 November 1912, the Court recalled, provision was made for the exercise by Spain of special rights and privileges in the Spanish Zone. By a bilateral Declaration between France and Spain of 7 March 1914, Spain surrendered its jurisdictional and other extra-territorial rights in the French Zone, and provision was made for the

subsequent surrender by France of similar rights in the Spanish Zone. This was accomplished by a bilateral Declaration between France and Spain of 17 November 1914.

The United States contended that, as both the Convention of 1912 and the two Declarations of 1914 were agreements between France and Spain, and as Morocco was not named as a party to either agreement, the rights of Spain under the earlier 1861 Spanish Treaty still existed *de jure*, notwithstanding that there might be a *de facto* situation which temporarily prevented their exercise.

Even if this contention were accepted, the Court stated, the position was one in which Spain had been unable to insist on the right to exercise consular jurisdiction in the French Zone since 1914. The rights which the United States would be entitled to invoke by virtue of the most-favoured-nation clauses would therefore not include the right to exercise consular jurisdiction in 1950.

The Court concluded that the Spanish Declaration of 7 March 1914 brought about the surrender or renunciation of all Spanish jurisdictional or other extra-territorial rights in the French Zone, and an abrogation of those provisions of the Spanish Treaty of 1861 which concerned the rights and privileges arising out of the regime of capitulations. The Court could therefore not accept the third United States contention.

The fourth contention of the United States was that the extensive consular jurisdiction as it existed in Morocco in 1880 was recognized and confirmed by the provisions of the Madrid Convention, and that the United States, as a party to that Convention, thereby acquired an autonomous right to the exercise of such jurisdiction independently of the operation of the most-favoured-nation clauses.

The Court stated that there could be no doubt that the exercise of consular jurisdiction in Morocco in 1880 was general, or that the Convention presupposed the existence of such jurisdiction. It dealt with the special position of proteges and contained provisions for the exercise of jurisdiction with regard to them. On the other hand, it was equally clear that there were no provisions of the Convention which expressly brought about a confirmation of the then existing system of consular jurisdiction, or its establishment as an independent and autonomous right. The Court declared that it could not adopt a construction by implication of the provisions of the Madrid Convention which would go beyond the scope of its declared purposes and objects.

Further, the United States contention would involve radical changes and additions to the provisions of the Convention. The Court emphasized that it was its duty "to interpret the Treaties, not to revise them". It therefore rejected the United States contention.

The fifth United States contention was that the consular jurisdiction in Morocco was recognized and confirmed by various provisions of the Act of Algeciras, and that the United States acquired an autonomous right to exercise such jurisdiction independently of the operation of the most-favoured-nation clauses.

The Court explained that in 1906 the interested Powers at Algeciras all exercised capitulatory rights and privileges to the extent that they were prescribed either by the General Treaty with Great Britain of 1856 or by the Spanish Treaty of 1861. They did so by virtue of a direct treaty grant, as in the case of Great Britain or Spain; or by virtue of most-favoured-nation clauses, as in the case of the United States; or without treaty rights, but with the consent or acquiescence of Morocco, as in the case of certain other States. Accordingly, the Act of Algeciras presupposed the existence of the regime of capitulations, including the rights of consular jurisdiction, and many of its provisions assigned particular functions to the then existing consular tribunals.

Since 1937, the Court said, the position had been that eleven of the interested Powers had abandoned their capitulatory privileges and their consular jurisdiction had ceased to exist. Accordingly, Morocco had been able to make laws and to provide for the trial and punishment of offenders who were nationals of these eleven countries. The position of the United States, however, was different.

Taking into account the various articles of the Act of Algeciras referring to consular tribunals and the purposes of that Act, the Court found that neither its express provisions nor the intention of the parties offered any basis for the contention that the Act established consular jurisdiction or confirmed the rights and privileges of the regime of capitulations which were then in existence.

The Court declared that the consular jurisdiction of the United States continued to exist to the extent that might be necessary to render effective those provisions of the Act of Algeciras which depend on the existence of consular jurisdiction. The Court held that this interpretation in some instances led to results which might not appear to be entirely satisfactory, but that was an unavoidable consequence of the manner in which the

Algeciras Conference had dealt with the question of consular jurisdiction. The Court could not, by way of interpretation, derive from the Act a general rule as to full consular Jurisdiction not contained therein; on the other hand, it could not disregard particular provisions involving a limited resort to consular jurisdiction, which were in fact contained in the Act and which were still in force as far as relations between the United States and Morocco were concerned.

The sixth contention of the United States was that its consular jurisdiction and other capitulatory rights in Morocco were founded upon "custom and usage". The Court, however, rejected this contention on two considerations. The first was that from 1787 to 1937 the United States consular jurisdiction was in fact based, "not on custom or usage, but on treaty rights". The second was that there was not sufficient evidence that a right to exercise consular jurisdiction founded upon custom or usage had been established in such a manner that it had become binding on Morocco.

In its decision on the extent of the consular jurisdiction of the United States in the French Zone of Morocco, the Court unanimously found that the United States was entitled, by virtue of the provisions of its Treaty with Morocco of 16 September 1836, to exercise in the French Zone of Morocco consular jurisdiction in all disputes, civil or criminal, between citizens or proteges of the United States.

By 10 votes to 1, the Court found that the United States was also entitled, by virtue of the General Act of Algeciras of 7 April 1906, to exercise in the French Zone of Morocco consular jurisdiction in all cases, civil or criminal, brought against citizens or proteges of the United States, to the extent required by the provisions of the Act relating to consular jurisdiction.

By 6 votes to 5, the Court rejected the other submissions of the United States relating to consular jurisdiction. The United States, the Court declared, was not entitled to exercise consular jurisdiction in other cases in the French Zone of Morocco. Its rights in this connexion, which were acquired solely by the effect of the most-favoured-nation clause, came to an end, the Court declared, with the termination of "all rights and privileges of a capitulatory character in the French Zone of the Shereefian Empire" by Great Britain, in pursuance of the provisions of the Franco-British Convention of 1937.

The Court next considered the claim that United States nationals were not subject, in principle, to the application of Moroccan laws, unless they

had first received the assent of the United States Government. The Decree of 30 December 1948, not having been submitted to the prior assent of the United States Government, could not, the United States argued, be made applicable to United States citizens.

In this regard France submitted that the United States was not entitled to claim that the application of all laws and regulations to its nationals in Morocco required its express consent. The nationals of the United States, France argued, were subject to the laws and regulations in force in the Shereefian Empire and in particular to the regulation of 30 December 1948, without the prior consent of the United States Government.

The claim that Moroccan laws were not binding on United States nationals, unless assented to by the Government of the United States, the Court declared, was linked with the regime of capitulations. The Court stated that there was no provision in any of the treaties under consideration in this case conferring upon the United States any such right. The so-called "right of assent" was merely a corollary of the system of consular jurisdiction. The consular courts applied their own law and they were not bound in any way by Moroccan law or Moroccan legislation. Before a consular court could give effect to a Moroccan law it was necessary for the foreign Power concerned to provide for its adoption as a law binding on the consul in his judicial capacity. This was usually done by embodying the law either in the legislation of the foreign State or in ministerial or consular decrees of that State issued in pursuance of delegated powers; the foreign State could do this or could refuse to provide for the enforcement of the law. There was a "right of assent" only to the extent that the intervention of the consular court was necessary to secure the effective enforcement of a Moroccan law as against the foreign nationals.

The Court considered three ways in which the problem of the "right of assent" might arise. The first was in cases where the application of a Moroccan law to United States nationals would be contrary to the treaty rights of the United States. In such cases, said the Court, the application of Moroccan laws directly or indirectly to these nationals, unless assented to by the United States, would be contrary to international law, and the dispute which might arise therefrom would have to be dealt with according to the ordinary methods for the settlement of international disputes. These Considerations applied to the Decree of 30 December 1948, which the Court found to be contrary to treaty rights of the United States.

The second instance was in cases in which the co-operation of the consular courts was required in order to enforce the Moroccan legislation. In such cases, regardless of whether the application of the legislation would contravene treaty rights, the assent of the United States, the Court asserted, would be essential to its enforcement by the consular courts.

Thirdly, the question might arise in cases where the application to United States nationals, otherwise than by enforcement through the consular courts, of Moroccan laws which did not violate any treaty rights of the United States was in question. In such cases, declared the Court, the assent of the United States authorities was not required.

In its Judgment, the Court unanimously found that "the United States of America is not entitled to claim that the application to citizens of the United States of all laws and regulations in the French Zone of Morocco requires the assent of the Government of the United States, but that the consular courts of the United States may refuse to apply to United States citizens laws or regulations which have not been assented to by the Government of the United States."

The Court then took up that part of the Counter-Claim of the United States which related to the question of immunity from Moroccan taxes in general, and particularly from the consumption taxes provided by the Shereefian Dahir (Decree) of 28 February 1948. This Decree provided for the payment of consumption taxes on all goods, whether imported into Morocco or produced there.

The United States contended that its treaty rights in Morocco conferred upon United States nationals an immunity from taxes except those taxes specifically recognized and permitted by the treaties. Such immunity had been conferred on nationals of Great Britain and Spain by treaties between those countries and Morocco and the United States claimed that its nationals had the same immunity by virtue of the most-favoured-nation clauses in its treaties with Morocco.

The Court declared that when provisions granting fiscal immunity in treaties between Morocco and third States had been abrogated or renounced, these provisions could no longer be relied upon by virtue of a most-favoured-nation clause. This, it held, was the case with regard to the provision of the General Treaty between Great Britain and Morocco relating to tax immunity, which had been abrogated with the coming into force of the Franco-British Convention of 29 July 1937

Similarly, the effect of the Declaration made by France and Spain, of 7 March 1914, was an unconditional renunciation by Spain of all the rights and privileges arising out of the regime of capitulations in the French Zone, including the right of its nationals to immunity from taxes under its Treaty with Morocco of 1861. The right to tax immunity under that Treaty could therefore, the Court said, no longer be invoked by the United States by virtue of a most-favoured-nation clause.

The United States further contended that it had an independent claim to tax immunity by virtue of being a party to the Convention of Madrid and the Act of Algeciras. It contended that by these instruments a regime as to taxes was set up, which continued the tax immunity in favour of the nationals of foreign States, thereby confirming and incorporating this pre-existing regime. The United States held that this regime was still in force except for the States which had agreed to give it up.

The Court, however, expressed the opinion that the Madrid Convention did not confirm and incorporate the then existing principle of tax immunity. It merely presupposed the existence of this principle and curtailed it by exceptions in certain articles without modifying its legal basis. It did not provide a new and independent ground for any claim of tax immunity. Similar considerations, said the Court, applied to the Act of Algeciras, which further curtailed the regime of tax immunity by exceptions in certain articles. It did not provide any new and independent legal basis for exemption from taxes.

In its Judgment, the Court, by 6 votes to 5, rejected the submissions of the United States relating to exemption from taxes. It declared that no treaty provided any basis for the claim of the United States to fiscal immunity for its citizens. Nor could such an immunity, capitulatory in origin, be justified by the effect of the most-favoured-nation clause, since no other State enjoyed it for the benefit of its nationals.

The remaining submissions of the United States under its Counter-Claim related to the consumption taxes imposed by the Decree of 28 February 1948, and to the valuation of imported goods. The United States contended that its citizens were exempt from paying consumption taxes. It also contended that it was a violation of the Act of Algeciras for the customs authorities to determine the value of imported merchandise for customs purposes by relying on the value of the imported merchandise on the local Moroccan market.

The Court, in its Judgment, by 7 votes to 4, rejected the United States submissions concerning the consumption taxes imposed by the Decree of 28 February 1948. As those taxes were payable on all goods, whether imported into Morocco or produced there, they were not within the classes of taxes described in a British-Moroccan Treaty of 1856, which was invoked by the United States by virtue of its most-favoured-nation clauses.

The Court, in its Judgment, by 6 votes to 5, found that in applying the Act of Algeciras customs authorities must take into account both the value of the merchandise in the country of origin and its value in the local Moroccan market. That Act laid down no strict rules for valuation of imported goods. A study of the practice since 1906, when the Act came into effect, and of the preparatory work of the Conference of Algeciras, which drew up the Act, led the Court to the view that the relevant article required flexible interpretation. The power of making the valuation, said the Court, rested with the Customs authorities, but "it is a power which must be exercised reasonably and in good faith".

2. Declaration of Judge Hsu Mo

Judge Hsu Mo appended a declaration to the Court's Judgment stating that, in his opinion, the United States was not entitled to exercise consular jurisdiction in cases involving the application to United States citizens of those provisions of the Act of Algeciras which carried certain sanctions for their enforcement. He argued that when consular jurisdiction in its full form ceased to exist in respect of all the signatory States to the Act of Algeciras, the basis for the application by the various consular tribunals of the measures of sanction provided in that Act disappeared, and the ordinary rules of international law came into play. Consequently, such sanctions should thenceforth be applied by the territorial courts, in the case of United States citizens as well as in the case of all other foreign nationals.

3. Joint Dissenting Opinion

A joint dissenting opinion, signed by Judges Hackworth, Badawi, Levi Carneiro and Sir Benegal Rau, was also appended to the Court's Judgment. The four Judges dissented from the Court on the conclusions relating to consular jurisdiction, fiscal immunity and the interpretation of the Act of Algeciras relating to the valuation of imported goods.

So far as the United States was concerned, none of the provisions of the Act of Algeciras, in the opinion of the four Judges, had been abrogated or renounced. They explained that the Act of Algeciras was a great multilateral convention directly binding upon Morocco and the United States as well as the other signatory Powers. Its status in regard to the old bilateral treaties, as an independent and superior Act, was formally expressed in its article 123. The Act of Algeciras adopted the system of full consular jurisdiction which had previously been acquired by all of its signatories, and even extended that jurisdiction. This adoption was not so much by express provision as by necessary implication. To give effect to the bare provisions of the Act, however, and to ignore this basic implication in respect of all other cases of the exercise of consular jurisdiction would result in curious anomalies. If the Act was to be maintained as a logical and coherent structure, the full consular system embedded in it—that is, consular jurisdiction in all cases involving United States nationals—must be recognized.

The Madrid Convention, in their opinion, was likewise still in force so far as the United States was concerned. The provisions of that Convention necessarily implied that any civil suits and prosecutions against the proteges of any signatory of the Convention would normally be tried by the consular courts of that Power; and if such was the position of United States proteges, who were Moroccan subjects, a fortiori it must be the position of United States nationals. At the date of the Madrid Convention, the signatory Powers, the four Judges stated, were entitled independently of the Convention to claim full consular jurisdiction for their nationals and therefore it was not necessary to mention this right separately in the Convention itself. But even where the external sources of the right had ceased, the right continued to flow from the express provisions which had been inserted in the Convention itself in respect of proteges.

The Court had rejected the contention of the United States, basing its claim to consular jurisdiction and other capitulatory rights in Morocco on "custom and usage". The rejection, they said, appeared to proceed on the ground that sufficient evidence had not been produced in support of the claim. The four Judges considered that the evidence available was sufficient. They cited examples to prove their contention, such as the fact that even after 1937 when, according to the French Government, the benefits of the capitulatory provisions of the Treaties of 1856 and 1861

were no longer available to the United States, the French Government had been transmitting Moroccan taxation and other laws to the United States Government in order to have them made applicable to United States nationals in the French Zone.

The four Judges did not consider as "accurate" the statement that the United States was now the only Power that had not renounced its capitulatory rights in Morocco. The renunciation by Great Britain in the Anglo-French Convention of 1937, they explained, was confined to the French Zone; so too was the renunciation by Spain in the Franco-Spanish Declaration of 1914. Neither of these renunciations, in their view, extended to the whole of Morocco which the United States still treated as a single country.

The four Judges concluded that the submission of the United States relating to its jurisdictional privileges must be accepted, even apart from the effect of the most-favoured-nation clauses in its Treaty of 1836 with Morocco.

On the question of fiscal immunity, the four Judges declared that the right to tax implied the

right to take coercive measures in case of non-payment. It followed from what they said on the issue of consular jurisdiction, they argued, that no coercive measures could be taken against the person or property of nationals of the United States except with the aid of the consular courts of the United States, which, in the ultimate analysis, meant the assent of the United States.

The four Judges concluded that United States nationals were entitled to a general immunity from taxes save those specifically recognized by the Convention of Madrid, the Act of Algeciras and any other relevant treaty or agreement. They were consequently of the opinion that the consumption taxes provided for in the Decree of 28 February 1948 were wrongly levied on United States nationals.

In the view of the four Judges, in applying article 95 of the Act of Algeciras—relating to the valuation of imported goods—the only value to be taken into account was the value in the country of origin plus expenses incident to transportation to the custom house in Morocco.

D. THE QUESTION OF DEFINING AGGRESSION

At its sixth session, the General Assembly, in resolution 599(VI),²¹ among other things, instructed the Secretary-General to submit to it, at its seventh session, a report in which the question of defining aggression would be thoroughly discussed in the light of the views expressed in the Sixth Committee at the sixth session of the Assembly and which would take into account the draft resolutions and amendments submitted concerning this question.

1. Report of the Secretary-General

In compliance with the resolution the Secretary-General submitted a report (A/2211) to the General Assembly. The first part of this report contained a history of the question of defining aggression; the second part consisted of a study of the general question of defining aggression and described the various schools of thought on the matter and the arguments they used.

The report found that despite the changes in the international situation and the replacement of the League of Nations by the United Nations, the problem of defining aggression remained fundamentally unchanged, at least in its theoretical aspect. The terms of the definitions of aggression

currently proposed were largely the same as those proposed in the past and there was relatively little change in the arguments advanced in support of one or other school of thought. The report emphasized, however, that it would be wrong to believe that no more was needed than to repeat what had already been said, as international developments since the establishment of the United Nations gave new importance to and increased the complexity of the problem of aggression.

The report pointed out that those in favour of defining aggression emphasized that such a definition was not only possible but desirable. Those opposed to defining aggression maintained that aggression, by its very nature, was incapable of definition; they also felt that to define aggression would serve no useful purpose and above all would be dangerous.

From the point of view of form, the report distinguished between three categories of definitions: enumerative (analytical), general (synthetic) and combinations of the two.

The enumerative definitions gave a list of the acts regarded as acts of aggression. In most cases, the authors of these definitions regarded it as

²¹ See Y.U.N., 1951, p. 840.

essential that the enumeration should be exhaustive, that is, that only the acts enumerated constituted acts of aggression. Some authors, however, proposed that the international organs should be empowered to treat as acts of aggression acts other than those enumerated in the definition.

The general definitions, instead of listing the acts of aggression, were couched in general terms which covered the entire class of cases to be included. It was left to the international organs to determine the scope of the terms of the definition when specific cases were brought before them.

The combined definitions contained, first, a definition in general terms and, second, a list, but a list which was not exhaustive but was intended merely to describe the principal forms of aggression.

2. General Discussion in the Sixth Committee

The Sixth Committee discussed the question of defining aggression at its 329th to 346th meetings from 19 November to 10 December 1952.

The main difference of opinion was between the representatives in favour of defining aggression and those opposing such a definition, at least for the present. Some representatives favoured a definition, provided that certain conditions were fulfilled, while others stressed the difficulties to be solved before adopting a definition. The form a definition should take was discussed and also the procedure to be followed for its adoption. Various representatives supported the idea of creating a special committee to study the question further and to present one or more draft definitions to the General Assembly.

The representatives who were, in general, in favour of a definition of aggression included those of Afghanistan, the Byelorussian SSR, Chile, China, Colombia, Cuba, Czechoslovakia, the Dominican Republic, Ecuador, Egypt, France, Indonesia, Iran, Mexico, Poland, Saudi Arabia, Syria, the Ukrainian SSR, the USSR and Yugoslavia. In their opinion such a definition was possible and desirable, as the General Assembly had recognized in resolution 599 (VI). The USSR representative, in particular, pointed out that a definition was already included in some treaties, as for instance in eleven treaties concluded between the USSR and various other States.

It was argued that the adoption of a definition would constitute a declaration to the world of

what was meant by aggression, and the very existence of such a definition would be useful. It was essential that crimes condemned by law should be defined. A definition would further help all governments, in particular those which might be called upon to decide whether they were justified in exercising the right of individual or collective self-defence. It would also be of considerable assistance to the organs of the United Nations responsible for the maintenance of peace and the application of collective security. In the view of these representatives, it was necessary to formulate directives for such international organs as might be called upon to determine which party was guilty of aggression.

Although an analytical definition, it was remarked, could not list all cases of direct or indirect aggression, it was better to have a definition than to have none.

A definition, it was felt, was particularly needed in the present tense situation of the world. It would be a factor in discouraging potential aggressors. It would also serve as a guide to public opinion and would constitute a step forward in the development of international law. The fact that a definition had not been agreed upon was not a reason sufficient in itself to discourage further efforts.

Other representatives, in particular those of Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Denmark, Greece, Haiti, India, Israel, Lebanon, Liberia, the Netherlands, Norway, New Zealand, Pakistan, Panama, Peru, Sweden, the Union of South Africa, the United Kingdom, the United States, Uruguay and Venezuela, on the other hand, considered that in view of the existing political situation of the world, it would be wiser not to attempt to formulate any definition of aggression at this time. There was not enough experience in applying rules concerning aggression to proceed with a codification of the law on the subject. A definition could be interpreted differently by Member States and therefore would not be effective, while at the same time it could be used in such a way as to defeat its purpose.

In any analytical definition, in the view of these representatives, there was always a danger of omitting some type of action which ought to be considered as aggression and, if a definition did not cover all possible acts of aggression, it would in fact constitute a declaration of impunity for the acts not included. A synthetic definition, on the other hand, could only be vague and imprecise or would merely reproduce what was already contained in the Charter.

In any case, it was very doubtful that a definition, if adopted, would prevent aggression. An aggressor could only be determined by the general impression created by its behaviour and policies. Some representatives, in particular the representative of Argentina, thought that the "animus aggressionis" was a subjective element, and therefore the determination that an act of aggression had been committed would have to be made primarily by the State victim of the aggression. This element, it was added, would not be taken into consideration if a definition was to be applied automatically.

Representatives opposing the adoption of a definition also contended that the concept of aggression changed with time; therefore, a rigid definition could serve no useful purpose and would not facilitate the task of the United Nations organs which had the responsibility under the Charter for determining the existence of acts of aggression and for taking measures against them. On the contrary, a definition of aggression would delay the action of such organs. Furthermore, the Charter provided adequate procedures for the determination of the aggressor by the Security Council and by the General Assembly.

The representative of Iraq stated that his delegation, in the belief that no definition would succeed in preventing aggression in the future, would not declare itself for or against definitions that might be proposed.

Other representatives, including, in particular, those of Thailand, Lebanon, Chile, Israel and Mexico, concluded that it was necessary to proceed with further studies on the question and not to show undue haste.

Certain representatives, including, among others, those of Afghanistan, Indonesia, Iran, Cuba, Chile and China, declared that they would favour the adoption of a definition only if it included cases of indirect aggression, and they mentioned the possibility of economic, cultural or ideological aggression. The representatives of Afghanistan, Cuba and Iran, in particular, stressed the importance of economic aggression as a form of indirect aggression. While all States were equal in law, they stated, there was no equality in the economic sphere and economically powerful States were thus able to exercise pressure which in fact amounted to aggression. In such cases there was certainly no direct attack, but the end in view was the same as that of any aggression: to force the victim to yield to the aggressor's will.

Some representatives, for example the representative of China, while in principle favouring

the adoption of a definition, stressed the necessity of ensuring that a victim should never be prevented from exercising the right of self-defence in cases of direct aggression, or "reprisal" in cases of indirect aggression.

It was the view of the representatives of France, Sweden and the Union of South Africa, among others, that a definition should be linked with the development of international criminal law, in particular with the draft Code of Offences against the Peace and Security of Mankind and the creation of an international criminal jurisdiction.

The representatives of France, Greece, Israel and the Netherlands, among others, stressed the difficulties which had to be solved before a definition of aggression could be adopted. It would first be necessary, in their opinion, to ascertain whether a definition could be included within the framework of the Organization and to determine what effect it might have on the application of Articles 39 and 51 of the Charter.²²

It was also stated, in particular by the Netherlands representative, that the new notion of indirect aggression raised a difficult problem as, although it could readily be contrasted with armed aggression, there was no common agreement on what it meant. Economic aggression, the representative of the United Kingdom emphasized, was a vague concept which was bound to involve the question of what measures constituted legitimate economic self-defence. Moreover, the representative of Bolivia pointed out, there was no economic equality between States and it would therefore be difficult to apply such a doctrine.

The representative of Argentina emphasized the relationship between aggression and intervention in the domestic affairs of other States, while other representatives, in particular the representative of Greece, stressed the relationship between aggression, self-defence and collective action by the United Nations.

The representative of the Netherlands cited the following specific questions to be studied in connexion with the definition of aggression: the meaning of aggression as referred to in the United Nations Charter, the Judgment of the Nürnberg Tribunal and the draft Code of Offences against the Peace and Security of Mankind; the purpose of the definition—whether it was to be used by political or judicial organs; the relationship between aggression, self-defence and collective action by the United Nations; and the possible existence of other forms of ag-

²² For text of Articles, see pp. 13 & 14.

gression besides those mentioned in the Charter and in the draft Code.

As to the kind of definition to be drafted, some representatives stressed the advantages of an analytical definition. The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR, in particular, thought it desirable to enumerate all the objective acts which constituted aggression, to specify the circumstances which could not be used to justify attacks, and to list the measures which might be taken by a State threatened with an attack. The representative of the USSR explained that it was, of course, impossible for any definition to list every case of direct, indirect or concealed acts of force, just as it was impossible for any criminal code to list all the possible cases of murder, offences against the person and so forth. It was, however, sufficient to indicate the most widespread, typical and important cases. A definition which was otherwise satisfactory should not be rejected merely because it did not contain an exhaustive list of all the possible cases of aggression. It should be remembered, he said, that any a priori scientific definition would necessarily be less precise and less valuable than a definition based on experience.

The representative of Colombia likewise declared that the only definition warranted was an analytical one which, although not claiming to be exhaustive, would give examples and could be amended in the light of experience and in keeping with the development of international law. Such a definition, he said, would be an extension of the principles of the Charter.

The representative of El Salvador did not consider it possible to define aggression, but, he thought, the Sixth Committee could and should explain the "idea" or "concept" of aggression. Once the principle had been laid down, he said, a potential aggressor might not be deterred from his criminal action, but he would be subject to world-wide opprobrium. If, however, an all-embracing and fitting definition of aggression were to become possible in the future, the Salvadorean delegation would support it.

A number of representatives, including those of China, Afghanistan, Iran, Thailand, Egypt, Mexico, Saudi Arabia, Indonesia, Ecuador and Yugoslavia, declared themselves in favour of a combined method which would consist of a general formula followed by a list of the principal acts of aggression. It was suggested that such a list should not be restrictive, and that it should be stated that the Security Council and the General Assembly could determine the existence of aggression in cases other than those listed.

Different views were expressed during the debate concerning the procedure to be followed in adopting a definition. Some contended that it was necessary to amend the Charter for that purpose; others held that it was sufficient for the General Assembly to adopt a resolution defining aggression. A few representatives stressed the necessity of approval by a large majority of Members in order to make a definition legally binding.

The representative of Belgium stated that neither the General Assembly nor the Security Council had the power to adopt a definition of aggression binding either upon itself or upon the other organ, or upon Member States; such a binding effect could be obtained only by amending the Charter. In his opinion, it would be idle to attempt to work out an authoritative definition of aggression by amending the Charter, for such a method required ratification by two-thirds of the Member States, including all the permanent members of the Security Council. The representative of Liberia also felt that for a definition of aggression to be adopted it would be necessary to amend the Charter.

A definition of aggression adopted by the General Assembly, in the view of the representative of Mexico, could serve as a useful guide for the Security Council; if it became part of international law it would naturally be binding on the Security Council.

The representative of the Netherlands felt that the principal purpose of a definition was that it should serve as a guide for the competent organs of the United Nations. In his opinion, however, a General Assembly resolution containing such a definition would not be binding on those organs. A definition of that kind would admittedly contribute to the development of international law, but it would not create new rules of law which could be cited against the Security Council or the General Assembly.

The USSR representative, on the other hand, considered that a definition of aggression, like the definition of any other notion contained in the Charter, was in no way a general interpretation of the Charter. To define aggression was merely to describe its characteristics, to point out its constituent elements. And since the General Assembly was empowered, under the Charter, to consider the general principles of co-operation in the maintenance of international peace and security, it certainly had the power to consider the general principles relating to aggression. An amendment of the Charter was needed to modify the principles it expressed, to incorporate a new

principle or to effect a change in the powers it conferred upon the various organs of the United Nations. But the definition of aggression involved nothing of the sort, he argued.

The representative of France stated that a definition of aggression could not but have a strong repercussion on world public opinion. That was why it was essential for the definition to be acceptable to a large number of States, representing as large a part of world opinion and of effective political power as possible. It was also necessary for such a decision to be taken by a two-thirds majority vote of the General Assembly. The representative of Greece likewise felt that a definition of aggression would need the support of a substantial majority if it was to have any value.

Whatever the definition of aggression, it required acceptance by all the States Members of the United Nations, said the representative of Pakistan. Without such initial acceptance there was little hope of successful action in the face of a real test when the conduct of any nation or group of nations was called into question.

The representative of Iran suggested that a special committee should be created to study further the problems which had been raised and to present draft definitions to the General Assembly at a future session.

3. Draft Resolutions before the Sixth Committee

The following draft resolutions and amendments were submitted to the Sixth Committee.

a. USSR DRAFT RESOLUTION

A draft resolution²³ submitted by the USSR (A/C.6/L.264) in its operative part: (1) provided that the General Assembly should declare that in an international conflict that State should be declared the attacker which first committed one of a list of enumerated acts; (2) listed arguments and circumstances which could not be used as justifications for attack; and (3) described the rights of a State which was threatened by the mobilization or concentration by another State of considerable armed forces near its frontier.

At the 345th meeting of the Sixth Committee on 9 December 1952, the USSR representative stated that, while his delegation considered it necessary and possible at this stage to adopt a definition of aggression based on the generally accepted principles of international law, it was ready to support the proposal to establish a special

committee. The USSR would not therefore press for a vote on its draft, bearing in mind also that the special committee would consider the definition of aggression contained in its draft resolution. The Chairman declared that he regarded this as a withdrawal of that draft resolution in conformity with the established procedure.

b. UNITED STATES MOTION

At the 336th meeting of the Committee on 26 November, the representative of the United States stated that he intended to submit at the end of the general debate a motion (A/C.6/L.266/Rev.1) to adjourn the debate on the item under discussion. Later, however, at the 342nd meeting on 5 December, the Chairman stated his understanding that the United States had decided not to submit the motion.

c. JOINT DRAFT RESOLUTION AND AMENDMENTS

A draft resolution (A/C.6/L.265), later revised (A/C.6/L.265/Rev.1) was presented jointly by Afghanistan, Bolivia, Chile, Cuba, the Dominican Republic, El Salvador, Iran, the Netherlands, Peru and Yugoslavia. The revised draft would state in its preamble that the discussions of the General Assembly and the International Law Commission had revealed, *inter alia*, the need for a detailed study of various problems concerning the question of defining aggression, including the connexion between a definition of aggression and, on the one hand, the maintenance of international peace and security, and on the other, the development of international criminal law. The operative part provided for the establishment of a special committee of fifteen members to meet at Headquarters in 1953, to submit to the General Assembly at its ninth session draft definitions of aggression or draft statements of the notion of aggression, and to study all the problems referred to in the preamble on the assumption of a definition being adopted by a resolution of the General Assembly.

Amendments to the joint draft resolution were submitted by Turkey (A/C.6/L.267), France (A/C.6/L.268 and Corr.), by Colombia, Egypt, Mexico and Syria jointly (A/C.6/L.269/Rev.1 and Rev.1/Corr.1), by Indonesia (A/C.6/L.270), by Poland (A/C.6/L.272) and by Czechoslovakia (A/C.6/L.275/Rev.1). In addition, sub-amendments to the joint amendment were submitted by Poland (A/C.6/273) and Yugoslavia (A/C.6/L.274).

²³ The USSR draft resolution was identical to the one submitted in 1951; for text, see Y.U.N., 1951, p. 837.

The amendment by Turkey (A/C.6/L.267) proposed altering the first operative paragraph of the joint draft resolution so that members of the special committee would "be designated by the President of the General Assembly in consultation with the Chairman of the Sixth Committee". By a roll-call vote of 21 to 19, with 16 abstentions, the Committee rejected the words "by the President of the General Assembly in consultation with". As a result of this vote, no further vote was taken on the Turkish amendment.

The amendment by France (A/C.6/L.268 and Corr.1) proposed: (1) the deletion in the preamble of the joint draft of the reference to the need for a study of the connexion between a definition of aggression and the development of international criminal law; (2) the insertion of a new sub-paragraph in the preamble referring to 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; and (3) the replacement of the second operative paragraph by a request to the special committee to study and report on all the problems raised by the adoption of a definition of aggression under a resolution of the General Assembly. The first part of the amendment was adopted by 20 votes to 15, with 19 abstentions, and the second by 23 votes to 16, with 15 abstentions; the third part was rejected by a roll-call vote of 24 to 23, with 9 abstentions.

The joint amendment of Colombia, Egypt, Mexico and Syria (A/C.6/L.269/Rev.1 and Rev.1/Corr.1) proposed to delete the part of the preamble relating to the problems to be studied. It also proposed to amend the second operative paragraph to instruct the special committee:

(1) to submit to the General Assembly at its eighth session a number of draft definitions of aggression, one of which should include: (a) a synthetic definition, (b) a statement of cases of aggression, and (c) an enumeration of the circumstances which might not be invoked as justification for aggression; and

(2) to instruct the special committee to study in the light of the definitions it had drafted: (a) the connexion between a definition of aggression and, on the one hand, the maintenance of international peace and security, and, on the other, the development of international criminal law; and (b) the effect of a definition on the exercise of the jurisdiction of the various United Nations organs.

Drafting amendments to the joint amendment were proposed orally by the representatives of Syria and Mexico and were accepted by the sponsors.

The Yugoslav sub-amendment (A/C.6/L.274) to the joint amendment proposed to have the special committee furnish a "non-exhaustive enumeration" of cases of aggression instead of "statement" of cases of aggression. It was adopted by 33 votes to 11, with 9 abstentions.

The Polish sub-amendment (A/C.6/L.273) proposed: (1) to have the special committee submit a draft definition rather than a number of draft definitions; (2) to delete the reference to a synthetic definition of aggression; (3) to have the committee furnish "an enumeration" rather than "a statement" of the cases of aggression; and (4) to have it enumerate the circumstances which might not be invoked as justification for "an attack (aggression) of one state against another", rather than simply as "justification for aggression".

The first, second and fourth parts of this sub-amendment were rejected by 35 votes to 5, with 11 abstentions; 35 votes to 6, with 13 abstentions; and 32 votes to 6, with 15 abstentions, respectively; the third part was not voted upon as a consequence of the adoption of the Yugoslav sub-amendment.

The first part of the joint amendment (providing for the deletion of the part of the preamble relating to the problems to be studied) was rejected by 30 votes to 16, with 8 abstentions.

Following the rejection, in a separate vote of 30 to 16, with 5 abstentions, of the word "eighth" (calling for the submission of definitions to the eighth session of the Assembly), the part of the joint amendment calling upon the proposed special committee to submit to the Assembly a number of draft definitions of aggression was adopted by 26 votes to 21, with 7 abstentions. The clause stating that one of the definitions should include a synthetic definition was rejected by 25 votes to 20, with 8 abstentions, and that clause providing for the inclusion of an enumeration of the circumstances which might not be invoked as justification for aggression—as amended orally by the sponsors—was rejected by 30 votes to 15, with 10 abstentions. The part of the amendment referring to the submission of definitions—as amended by the Yugoslav sub-amendment—was rejected, as a whole, by 26 votes to 23, with 5 abstentions. A proposal to take a new vote by roll-call on this sub-paragraph was rejected by 26 votes to 22, with 6 abstentions.

The Committee then decided, by 30 votes to 10, with 10 abstentions, not to take any further votes on the joint amendment.

The Indonesian amendment (A/C.6/L.270) proposed to add to the preamble of the joint draft resolution a paragraph stating that continued and joint efforts should be made to formulate a generally acceptable definition of aggression with a view to promoting international peace and security and to developing international law. The word "generally", which was separately voted upon, was adopted by 24 votes to 16, with 14 abstentions. The amendment as a whole was adopted by 22 votes to 15, with 18 abstentions.

The Polish amendment (A/C.6/L.272) to the joint draft proposed: (1) to have the special committee submit definitions to the eighth rather than to the ninth session of the Assembly; (2) to have it submit a draft definition rather than draft definitions; and (3) to delete the statement that it might alternatively submit "draft statements of the notion of aggression". The first part was rejected by 31 votes to 13, with 7 abstentions, the second by 32 votes to 7, with 12 abstentions, and the third by 23 votes to 13, with 4 abstentions.

The Czechoslovak amendment (A/C.6/L.275/Rev.1) proposed to increase the membership of the special committee from fifteen to eighteen, and to list the States which should be members. The proposal to increase the membership was rejected by 29 votes to 19, with 7 abstentions. As a result of this vote no further vote was taken on the Czechoslovak amendment.

The Sixth Committee adopted the joint draft resolution, as amended, in paragraph-by-paragraph votes and then as a whole:

The second paragraph of the preamble, as amended, was adopted by a roll-call vote of 35 to 8, with 12 abstentions.

The phrase "on the assumption of a definition being adopted by a resolution of the General Assembly" at the end of sub-paragraph 2 (b) of the operative part (see below), which was voted upon separately, was adopted by a roll-call vote of 20 to 15, with 19 abstentions.

Sub-paragraph 2 (b) of the operative part was adopted, as a whole, by a roll-call vote of 26 to 6, with 22 abstentions.

Paragraph 3 of the operative part was adopted by 40 votes to none, with 13 abstentions.

The joint draft resolution as a whole, as amended, was adopted by a roll-call vote of 36 to 9, with 9 abstentions.

At the 346th meeting of the Committee on 10 December, representatives of Greece, Burma, Sweden and the Philippines gave explanations of their votes, and at the 347th meeting on 11 December, the Chairman announced the proposed composition of the special committee.²⁴

4. Resolution Adopted by the General Assembly

The General Assembly, at its 408th plenary meeting on 20 December 1952, considered the Sixth Committee's draft resolution (A/2322 and Corr.1) and an amendment (A/L.136) to it proposed by Poland.

The Polish amendment, which would have the special committee report to the Assembly at its eighth rather than ninth session, was rejected by 31 votes to 11, with 5 abstentions.

Separate votes on three parts of the draft resolution were then taken. Paragraph 2 of the preamble, beginning with the words "Considering that the discussion of the question" and ending with the words "any other problem which might be raised by a definition of aggression", was adopted by 28 votes to 8, with 12 abstentions.

Paragraph 2 (a) (see below) was adopted by 29 votes to 8, with 10 abstentions.

Paragraph 2 (b) was adopted by 23 votes to 7, with 20 abstentions.

The resolution as a whole was adopted by 37 votes to 2, with 13 abstentions.

Representatives of Bolivia, the Byelorussian SSR, Colombia, Czechoslovakia, Pakistan, Poland, Syria, the Ukrainian SSR, the USSR and the United Kingdom explained their votes.

Representatives of Pakistan and the United Kingdom, who had abstained in the vote, did not consider it wise or useful at present to define aggression. While expressing the opinion that a definition of aggression was possible in the future, the representative of Pakistan, in view of the sharp differences of opinion expressed, felt that the present time was not propitious for any attempt to define aggression. Although the representative of the United Kingdom in the Sixth Committee had voted against the resolution just adopted, he had abstained, he explained, because his country was willing to co-operate to the best of its ability and resources in studying the question, if a majority of the Assembly so wished.

²⁴ As India declared itself unable to serve on the committee, it was replaced by Pakistan. For membership of committee, see p. 33.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR declared that they were in favour of defining aggression—the USSR first proposing its definition of aggression as early as 1933 in the League of Nations—because they felt that the adoption of a definition of aggression would be an important step in strengthening the peace and security of nations. While realizing that the mere existence of a definition would not in itself prevent aggression, it would, in their opinion, constitute a sharp warning to aggressors. A definition, they said, would serve as an effective instrument of the organs of the United Nations, assisting them to fulfil the tasks entrusted to them by the Charter for the maintenance of peace.

They went on to state that the majority of delegations, however, while recognizing the desirability and possibility of a definition of aggression, expressed a desire that studies and work which would ultimately lead to the formulation of a definition should be continued. In a spirit of co-operation, they had voted for the draft resolution, despite the fact that the Polish amendment was rejected and even though certain parts of the draft, in their opinion, were not favourable.

For example, they saw no reason to postpone defining aggression for two years. The special committee, in their opinion, should not be asked to do anything but deal specifically and directly with the question of defining aggression; it should not be asked to deal with the problems raised by the inclusion of a definition of aggression in the Code of Offences Against the Peace and Security of Mankind, nor should it be asked to deal with any other problem which might be raised by a definition of aggression.

The representative of Syria felt that a definition of aggression was necessary in order to lessen international tension and to develop international law and international penal justice.

The representative of Colombia explained that he had voted in favour of the draft resolution on the understanding that it would contribute, through the establishment of a special committee, to the task of deciding whether a definition of aggression was in the interests of international

peace. The special committee which had just been established, the representative of Bolivia observed, was to study the problem as a whole, not merely from one country's point of view.

The resolution adopted by the Assembly (688 (VII)) read:

"The General Assembly,

"Having regard to its resolution 599(VI) of 31 January 1952,

"Considering that the discussion of the question of defining aggression at the sixth and seventh sessions of the General Assembly and in the International Law Commission has revealed the complexity of this question and the need for a detailed study of:

"(a) The various forms of aggression,

"(b) The connexion between a definition of aggression and the maintenance of international peace and security,

"(c) 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,

"(d) The effect of a definition of aggression on the exercise of the jurisdiction of the various organs of the United Nations,

"(e) Any other problem which might be raised by a definition of aggression,

"Considering that continued and joint efforts shall be made to formulate a generally acceptable definition of aggression, with a view to promoting international peace and security and to developing international law,

"1. Decides to establish a Special Committee of fifteen members, each representing one of the following Member States: Bolivia, Brazil, China, Dominican Republic, France, Iran, Mexico, Netherlands, Norway, Pakistan, Poland, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, to meet at the Headquarters of the United Nations in 1953;

"2. Requests the said Special Committee:

"(a) To submit to the General Assembly at its ninth session draft definitions of aggression or draft statements of the notion of aggression;

"(b) To study all the problems referred to above on the assumption of a definition being adopted by a resolution of the General Assembly;

"3. Requests the Secretary-General to communicate the Special Committee's report to Member States for their comments and to place the question on the provisional agenda of the ninth session of the General Assembly."

E. THE INTERNATIONAL LAW COMMISSION

1. Report of the Commission's Fourth Session

The International Law Commission (ILC) held its fourth session at Geneva, Switzerland, from

4 June to 8 August 1952. It elected for a term of one year the following officers: Chairman—Ricardo J. Alfaro; First Vice-Chairman—J. P. A. François; Second Vice-Chairman—Gilberto Amado; Rapporteur—Jean Spiropoulos.

The Commission took note of the casual vacancies in its membership arising from the resignation of James Leslie Brierly, Vladimir M. Koretsky and Sir Benegal N. Rau. It elected F. I. Kozhevnikov (USSR), H. Lauterpacht (United Kingdom) and Radhabinod Pal (India) to fill these vacancies.

a. ARBITRAL PROCEDURE

A Second Report on Arbitration Procedure (A/CN.4/46), presented by the special rapporteur on the subject, Georges Scelle, to the Commission's third session was considered at the fourth session, as well as a Supplementary Note to the Second Report on Arbitration Procedure (A/CN.4/57) presented by Mr. Scelle. The Commission adopted a "Draft on Arbitral Procedure", consisting of 32 articles, with comments. In accordance with its Statute, it decided to transmit this draft, through the Secretary-General, to governments for comments. The Commission would then draw up a final draft on arbitral procedure at its next session and submit it to the General Assembly. It was also decided that the final draft should be accompanied by a detailed commentary giving an account and an analysis of the relevant practice, including arbitration treaties and compromissory clauses, arbitral decisions and the literature on the subject. That commentary, to be prepared by the Secretariat under the direction of and in consultation with a special rapporteur, was to be available to the Commission at its next session.

In its report the Commission pointed out that, while bearing in mind the distinction between the codification of existing practice and the development of international law on the subject, it had had to take both methods into account in preparing its draft. It considered that it had codified existing practice since it based the draft on the principle that arbitration is a method of settling disputes between States in accordance with law, as distinguished from the political and diplomatic procedures of mediation and conciliation.

On the other hand, in order to render the arbitration procedures as effective as possible, it had sought to introduce new methods for solving difficulties with respect to the drafting of a compromis and the constitution of an arbitral tribunal. Similarly, it had tried to safeguard the effectiveness of the process of arbitration and the independent standing of arbitral tribunals in their capacity as international organs, by provisions relating to the continuity of arbitral tribunals once constituted. In the interests of the effectiveness

of the arbitration process it had elaborated provisions based on the generally accepted principle that the arbitral tribunal has the legal power to determine its jurisdiction in conformity with the instrument creating it and to decide on its procedure. While adopting the principle that arbitral awards are final and without appeal, the Commission also had included in the draft articles concerning revision and annulment of the award, limiting to three the causes justifying annulment.

The Commission stated that it had tried to strike a balance between the consideration that the parties must be in a position to adapt the arbitration procedure to the requirements of a particular dispute and the necessity, arising from the character of arbitration as a judicial process distinct from methods of political adjustment and conciliation, that some provisions, such as those relating to revision and annulment, must be mandatory.

During the discussions two points of view were expressed: (1) that the agreement of the parties was essential not only in the original obligation to have recourse to arbitration but also at every stage of the process; and (2) that provision must be made to safeguard the efficacy of the obligation to arbitrate when the subsequent attitude of the parties threatened to render nugatory the undertaking to arbitrate. The second conception had prevailed in the draft.

The articles of the Draft on Arbitral Procedure read:

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.

"3. The undertaking constitutes a legal obligation which must be carried out in good faith, whatever the nature of the agreement from which it results.

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, the question may, in the absence of agreement between the parties upon another procedure, be brought before the International Court of Justice on an application by either party. The judgment rendered by the Court shall be final.

"2. In its judgment 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 a dispute to arbitration, or from the date of the decision of the International Court of Justice in conformity with article 2, paragraph 1, the parties to an undertaking to arbitrate shall constitute an arbitral tribunal by mutual agreement. This may be done either in the compromis referred to in article 9, or in a special instrument.

"2. If the appointment of the members of the tribunal is not made by the parties within the period of three months as provided in the preceding paragraph, the parties shall request a third State to make the necessary appointments.

"3. If the parties are unable to agree on the selection of the third State within three months, each party shall designate a State, and the necessary appointments shall be made by the two States thus designated.

"4. If either party fails to designate a State under the preceding paragraph within three months, or if the governments of the two States designated fail to reach an agreement within three months, the necessary appointments shall be made by the President of the International Court of Justice at the request of either 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.

Article 4

"1. The parties having recourse to arbitration may act in whatever manner they deem most appropriate; they may refer the dispute to a tribunal consisting of a sole arbitrator or of two or more arbitrators as they think fit.

"2. With due regard to the circumstances of the case, however, the sole arbitrator or 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.

Article 6

"Should a vacancy occur for reasons beyond the control of the parties, it 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 not withdraw, or be withdrawn by the government which has appointed him, save in exceptional cases and with the consent of the other members of the tribunal.

"2. If, for any reason such as previous participation in the case, a member of the tribunal considers that he cannot take part in the proceedings, or if any doubt arises in this connexion within the tribunal, it may decide, on the unanimous vote of the other members, to request his replacement.

"3. Should the withdrawal take place, the remaining members shall have power, upon the request of one of the parties, to continue the proceedings and render the award.

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 it was unaware of the fact or has been a victim 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 decision shall rest with the International Court of Justice.

Chapter III

The Compromis

Article 9

"Unless there are prior provisions on arbitration which suffice for the purpose, the parties having recourse to arbitration shall conclude a compromis which shall specify, in particular:

(a) The subject of the dispute, defined as precisely and as clearly as possible;

(b) The selection of arbitrators, in case the tribunal has not already been constituted;

(c) The appointment of agents and counsel;

(d) The procedure to be followed, or provisions for the tribunal to establish its own procedure;

(e) Without prejudice to the provisions of article 7, paragraph 3, if the tribunal has several members, the number of members constituting a quorum for the conduct of the proceedings;

(f) Without prejudice to the provisions of article 7, paragraph 3, the number of members constituting the majority required for an award of the tribunal;

(g) The law to be applied by the tribunal and the power, if any, to adjudicate *ex aequo et bono*;

(h) The time limit within which the award shall be rendered; the form of the award, any power of the tribunal to make recommendations to the parties; and any special provisions concerning the procedure for revision of the award and other legal remedies;

(i) The place where the tribunal shall meet, and the date of its first meeting;

(j) The language to be employed in the proceedings before the tribunal;

(k) The manner in which the costs and expenses shall be divided.

Article 10

"1. If the parties cannot agree on the contents of the compromis, they may request the good offices of a third State which shall appoint a person, or a body of persons, to draw up the compromis.

"2. If the parties are bound by an undertaking to arbitrate, and when the tribunal has been constituted, then, in the event of the failure of the above procedure for drawing up the compromis, the tribunal shall draw up the compromis within a reasonable time which it shall itself determine.

Chapter IV

Powers of the Tribunal

Article 11

"The tribunal, as 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

"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 one another and 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 the parties, the tribunal may visit the scene with which the case before it is connected.

Article 16

"For the purpose of securing a complete settlement of the dispute, the tribunal shall decide on any counter-claim or additional or incidental claims arising 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, if it considers that 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

"1. The deliberations of the tribunal, which should be attended by all of its members, shall remain secret.

"2. All questions shall be decided by a majority of the tribunal.

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 give 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 may not be accepted by the tribunal without the respondent's consent.

"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 the conclusion 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

"1. The award shall be rendered within the period fixed by the compromis, unless the parties consent to an extension of that period.

"2. In case of disagreement between the parties on such an extension of the period, the tribunal may refrain from rendering an award.

Article 24

"1. The award shall be drawn up in writing and communicated to the parties. It shall be read in open court, the agents of the parties being present or duly summoned to appear.

"2. The award shall include a full statement of reasons.

"3. The award shall contain the names of the arbitrators and shall be signed by the president and the registrar or secretary of the tribunal.

Article 25

"Subject to any contrary provision in the compromis, any member of the tribunal may attach his separate or dissenting opinion to the award.

Article 26

"As long as the time limit set in the compromis has not expired, the tribunal shall be entitled to rectify mere typographical errors or mistakes in calculation in the award.

Article 27

"The award is binding upon the parties when it is rendered, and it must be carried out in good faith.

Article 28

"1. Unless the parties agree otherwise, any dispute between the parties as to the meaning and scope of the award may, at the request of either party, be submitted to the tribunal which rendered the award.

"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, the dispute may be referred to the International Court of Justice at the request of either party.

Chapter VI

Revision

Article 29

"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.

"3. The proceedings for revision shall be opened by a judgment of the tribunal recording the existence of such a new fact and ruling upon the admissibility of the application. The tribunal shall then proceed to revise the award.

"4. The application for revision shall be made to the tribunal which rendered the award. If, for any reason, it is not possible to address the application to that tribunal, the application may, unless the parties agree otherwise, be made to the International Court of Justice.

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.

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 (c) of article 30, the application must be made within sixty days of the rendering of the award.

"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. NATIONALITY INCLUDING STATELESSNESS

As regards the topic of nationality including statelessness, the special rapporteur on the subject, Manley O. Hudson, appointed by the Commission at its third session, submitted a report (A/CN.4/50) to the Commission's fourth session. Several documents prepared by the Secretariat were also made available to the Commission, including a consolidated report entitled *The Problem of Statelessness* (A/CN.4/56), *Nationality of Married Women* (E/CN.6/126/Rev.1 and E/CN.6/129/Rev.1) and *A Study of Statelessness* (E/1112 and Add.1).

In his report, the special rapporteur made a survey of the subject of nationality in general, and presented two working papers, one containing a draft of a convention on nationality of married persons, following closely the terms proposed by the Commission on the Status of Women and approved by the Economic and Social Council. The special rapporteur suggested that the ILC should agree to the request to draft a convention embodying those terms without expressing its own views. The Commission, however, did not agree with this view, and considered that the question of nationality of married women could only be considered as an integral part of the whole subject of nationality, including statelessness. The other working paper dealt with statelessness, listing nineteen points for discussion. The Commission considered that draft conventions on the elimination of statelessness and on the reduction of future statelessness should be prepared for its next session. To guide the special rapporteur as to the content of the proposed draft conventions it gave general directions, to which, however, three members of the Commission were opposed.

The Commission decided on 25 July 1952 to invite Ivan S. Kerno to serve, after his resignation from the Secretariat of the United Nations,²⁵ as an individual expert of the Commission to work on the question of elimination or reduction of statelessness. It elected Roberto Cordova to succeed Manley O. Hudson who resigned on 1 August as special rapporteur on the topic of nationality including statelessness.

c. OTHER DECISIONS

J. P. A. François, special rapporteur on the regime of the territorial sea, appointed at the Commission's third session, submitted a report (A/CN.4/53) to the fourth session containing a

²⁵ Dr. Kerno's resignation as Assistant Secretary-General for Legal Affairs became effective on his attaining the age of 61 on 26 September 1952.

"Draft Regulation", consisting of 23 articles together with comments. The Commission decided, as suggested by the special rapporteur, to use the term "territorial sea" instead of "territorial waters" since the latter expression had sometimes been taken to include inland waters. It also discussed the question of the juridical status of the territorial sea, of its bed and subsoil, and of the air space above it; the breadth of the territorial sea; base line; and bays. It decided that governments should be asked to furnish the Commission with information on their practice on the delimitation of the territorial sea of two adjacent States, and that experts should be consulted on technical aspects of the problem. It asked the special rapporteur to present to its fifth session a further report with a revised draft and commentary.

The Commission had before it the third report (A/CN.4/51) of J. P. A. François, the special rapporteur, on the regime of the high seas as well as comments from governments (A/CN.4/55 and Add. 1 to 4) on its "Draft Articles on the Continental Shelf and Related Subjects". It deferred consideration of the rapporteur's report until its fifth session. It invited governments which had not yet submitted comments on the "Draft Articles" to do so, and asked the special rapporteur to study replies from governments and other comments, and to submit to the Commission's fifth session a final report on the continental shelf and related subjects, so that the Commission might adopt a report for submission to the General Assembly.

Following the resignation of James L. Brierly, who had been special rapporteur on the law of treaties, the Commission did not discuss his "Third Report on the Law of Treaties" (A/CN.4/54) which was placed before it at its fourth session. It elected H. Lauterpacht to succeed Mr. Brierly, and asked him to take into account the work that had been done by the Commission, as well as that by Mr. Brierly, on this subject and to present a report to the Commission's fifth session.

2. Resolution Adopted by the General Assembly

At its seventh session, the General Assembly referred the report of the International Law Commission (A/2163) to the Sixth Committee

which considered it at its 312th meeting on 28 October.

At the outset of the Committee's consideration of the item, the representative of Iran suggested that, since the report of the International Law Commission was in the nature of a progress report submitted to the General Assembly for its information, the Sixth Committee should not discuss questions on which the Commission had not yet completed its action. He accordingly submitted a draft resolution (A/C.6/L.241) by which the General Assembly, pending its consideration of the questions dealt with in the report of the Commission, would note the progress of the Commission's work on those questions.

The representative of Peru considered that the Committee should discuss the substance of the report. He stated that some of the questions dealt with in it were controversial and it might prove helpful to the Commission to have the comments of representatives on some of those points.

Other representatives, on the other hand, including those of Canada, the Dominican Republic, Egypt, Pakistan, Panama, Sweden, the United Kingdom and Yugoslavia, did not think it appropriate to discuss the substance of the report, since it contained no finished work for the Assembly's consideration.

The representative of Iran accepted an oral amendment by El Salvador to add the words "in due course" after the words "pending its consideration". The representative of El Salvador explained that this was intended to convey the idea that the General Assembly would, in time, consider the questions dealt with in the Commission's report.

The representative of Syria proposed orally that a clause be added by which the Assembly would note the decisions taken by the Commission during its fourth session. He withdrew the proposal in favour of a Brazilian oral amendment according to which the Assembly would take note of the report. The Brazilian amendment was accepted by the representative of Iran.

The amended Iranian draft resolution was adopted by 42 votes to none, with 7 abstentions (A/2248). It was adopted by the General Assembly at its 391st plenary meeting on 6 November 1952 without objection or discussion as resolution 683 (VII).

F. WAYS AND MEANS FOR MAKING THE EVIDENCE OF CUSTOMARY INTERNATIONAL LAW MORE READILY AVAILABLE

1. Report by the Secretary-General

In accordance with the General Assembly's resolution 602 (VI)²⁶ of 1 February 1952 on the question of ways and means for making the evidence of customary international law more readily available, the Secretary-General submitted a report (A/2170) to the seventh session of the Assembly containing detailed plans on the form, contents and budgetary implications in regard to the possible publication of: (1) a United Nations juridical yearbook, (2) a consolidated index to the League of Nations Treaty Series, (3) a list of treaty collections supplementary to those already existing, and (4) a volume containing a repertoire of the practice of the Security Council.

The Secretary-General, in his report, expressed doubts as to whether the usefulness of a juridical yearbook would be sufficient to justify the expense and labour involved. The collection of the material to be included would require the highest technical skill, he said, and would be made more difficult by the degree of completeness and accuracy which would be expected of an official United Nations publication. Moreover, it would be difficult to avoid duplication with existing publications, such as the Legislative Series or the Reports of International Arbitral Awards.

With respect to the League of Nations Treaty Series, the Secretary-General stated that the work of preparation of a consolidated index to the 205 volumes could not be accomplished with the present personnel. The cost of two volumes of consolidated index covering all three sections of the nine existing index volumes of the League of Nations Treaty Series was estimated at \$69,200 (gross); the cost of one volume containing the English and French version of a consolidation of the alphabetical part only of the nine index volumes was estimated at \$62,400 (gross).

A list of treaty collections, also, it was stated, would not necessitate fresh appropriations for personnel but could be compiled by the existing staff. It was estimated that a United Nations list would be approximately 400 pages and an edition of 2,200 copies (in English and French) would cost \$2,900. It was estimated that revenue from the sale of such a list would be \$1,040.

A volume containing a repertoire of the practice of the Security Council based on the Official Records through December 1951, the Secretary-

General estimated, would probably not exceed 500 pages, and would be available by the end of 1953. On this assumption, the cost of printing 2,100 copies in English and 750 copies in French would not exceed \$11,150 on the basis of current prices. If the methods outlined in the report were accepted, the Secretary-General envisaged that no additional personnel would be required to carry out the work.

2. Consideration by the General Assembly at its Seventh Session

The Secretary-General's report was considered at the Assembly's seventh session at the 317th to 320th meetings of the Sixth Committee from 3 to 5 November 1952.

It was generally agreed that all the four publications envisaged in the Assembly resolution and surveyed in the report of the Secretary-General had considerable intrinsic usefulness. In view, however, of budgetary and other practical considerations the Sixth Committee could take decisions only by weighing their relative value against the estimated costs given in the report. The following were some of the points raised with respect to each of the four proposed publications.

Publication of a consolidated index to the League of Nations Treaty Series—It was generally agreed that, since there existed nine index volumes to the League of Nations Treaty Series, and in view of the cost involved as estimated in the report of the Secretary-General, the publication of a consolidated index should not be undertaken for the time being.

Publication of a list of treaty collections—Members of the Sixth Committee were agreed that the publication of a list of treaty collections would be of great value, not only as evidence of customary international law but also as likely to assist the work of the United Nations. The cost involved, as estimated by the Secretary-General in his report, they emphasized, would be relatively small.

The representative of Israel noted, however, that the Secretary-General's report was based on the assumption that the Manual of Collections of Treaties and of Collections relating to Treaties by Denys P. Myers (1922) was readily available.

²⁶ See Y.U.N., 1951, p. 851.

In actual fact, he pointed out, the Manual was out of print and it was extremely difficult to obtain a copy. It was therefore useless to suggest the publication of a supplement to a manual which was not itself available. In any event, the Manual prepared by Myers did not cover treaties exclusively; it contained a great deal of material which was of more use to the scientific researcher than to the legal practitioner. Some of the collections it listed were of purely historical interest. He therefore suggested that instead of publishing a supplement to Myers' Manual, the Secretariat should publish a new list omitting the material contained in the work by Myers which was not strictly required by the legal practitioner, and adding any new collections issued since 1922.

Publication of a repertoire of the practice of the Security Council—Most of the representatives participating in the discussion supported the publication of such a repertoire on the grounds of its practical usefulness and of the low cost involved. It was pointed out that such a repertoire would be of great value to Member States as well as to students and publicists of international law, and it would be very useful if a conference were called to review the United Nations Charter in 1955.

Some representatives expressed the opinion that it also would be useful eventually to have a repertoire of the practice of other organs of the United Nations. In this connexion, the Committee heard the representative of the Secretary-General who stated that the proposed repertoire of the practice of the Security Council would, of course, cover only a limited part of the work of the United Nations. If the General Assembly decided that that part was required first, the efforts of the Secretariat could be concentrated upon it without prejudice to the other work, but the combined results would in due course be made available to the General Assembly.

Publication of a United Nations juridical yearbook—Most of the discussion in the Sixth Committee centred around the proposal to publish a United Nations juridical yearbook.

Some representatives, including those of Afghanistan, Bolivia, Colombia, Cuba, the Dominican Republic, Ecuador, El Salvador, Egypt, Haiti, Honduras, Iran, Israel, Liberia, Pakistan, Panama and Yugoslavia, who were in favour of this publication, considered its intrinsic value as being worth the expenditure it would entail as estimated in the Secretary-General's report. It was emphasized that such a publication would provide a valuable means of following legal developments in the world and would form a link between

theory and practice, thus exerting a favourable influence on legal decisions taken in the United Nations. The impact of the United Nations on international law and certain far-reaching developments in recent years, which greatly extended the applicability of international law, consequent upon the emergence of a number of independent States and the establishment of various intergovernmental organizations, were said to render the publication of a United Nations juridical yearbook an urgent necessity. In the view of some representatives, in particular those of Ecuador, Egypt and Honduras, such a publication would be especially useful in countries which do not at present possess libraries well stocked with material on international law.

On the other hand, some representatives, including those of Argentina, Denmark, Poland and the USSR, pointed to the difficulties inherent in the publication of a United Nations juridical yearbook. To be comprehensive, they said, it would in part duplicate existing publications, such as the United Nations Legislative Series, the Yearbook on Human Rights, the Yearbook of the International Court of Justice, the Yearbook of the United Nations and the Annual Digest and Reports of Public International Law Cases edited by Professor H. Lauterpacht. If, however, matters covered by existing publications were to be eliminated, there would probably remain an insufficient flow of material to warrant an annual publication. In their opinion such a publication would not be worth the relatively high cost envisaged.

The representatives of, among others, Australia, India, Iraq, the United Kingdom and Venezuela, expressed the opinion that further study was required concerning the publication of a juridical yearbook and that the project should not be undertaken immediately. It was emphasized, however, that this did not imply a complete abandonment of the proposition.

In answer to those representatives who stressed the possibility of duplication if a juridical yearbook were published, the representatives of Cuba, the Dominican Republic, Iran, Israel and Yugoslavia, among others, contended that the fear of duplication should not be over-emphasized. It was pointed out that existing publications similar to the proposed juridical yearbook were scattered; what was needed was a systematic compilation. Moreover, duplication could be overcome, they argued, by, for example, avoiding the reproduction in extenso of matter that had already appeared in official documents of the United Nations or the specialized agencies. For the sake of com-

pleteness, reference could be made to such documents, noting where they were to be found. The representatives of Ecuador and Iran, among others, stressed the fact that the costs involved in the publication of a juridical yearbook might perhaps be diminished by reducing the scope of the yearbook. They felt that the utility of the publication was commensurate with the costs involved.

The draft resolution eventually adopted by the Sixth Committee represented a compromise between those representatives who advocated immediate publication of a juridical yearbook and those who thought the publication undesirable at the present time.

The Sixth Committee, at its 320th meeting on 5 November, voted on the proposals before it. The only draft resolution before it was that submitted jointly by Australia, Canada, Denmark, the Netherlands, Sweden, Syria and the United Kingdom (A/C.6/L.255), which was later revised orally; and amendments to it:

(1) by Egypt (A/C.6/L.256); (2) jointly by Afghanistan, Bolivia, Colombia, Cuba, Ecuador, El Salvador, Haiti, Honduras, Iran, Israel, Liberia, Pakistan, Panama, the Dominican Republic and Yugoslavia (A/C.6/L.257) (which superseded an oral amendment by the representative of Ecuador on behalf of his delegation as well as those of Afghanistan, Bolivia, Cuba, El Salvador, the Dominican Republic, Honduras, Iran, Israel, Pakistan and Yugoslavia); and (3) by Iran (A/C.6/L.258).

The joint draft resolution provided in its operative part that the General Assembly would authorize the Secretary-General to undertake, as soon as feasible, the publication of:

(1) a list of treaty collections supplementary to those already existing; and (2) a repertoire of the practice of the Security Council. It would also request the Secretary-General to prepare and circulate to Member Governments "a report containing detailed plans as to form, contents and budgetary implications in regard to the expansion of existing United Nations publications and the launching of new special publications of limited scope . . ."

To meet the point raised by the representative of Israel during the discussion, the United Kingdom representative, on behalf of the sponsors, revised orally the clause concerning a list of treaty collections to provide for the compilation of such a list "taking into account the suggestions made during the debate in the Sixth Committee".

The Egyptian amendment related to the preamble of the joint draft. The first part of the amendment, which altered the terms of the Assembly's reference to the Secretary-General's report from "having considered" to "considering" was adopted by 27 votes to 1, with 21 abstentions. The second part, which would have deleted the

second paragraph of the preamble (see below), was rejected by 27 votes to 10, with 13 abstentions.

The joint amendment proposed:

(1) to authorize the Secretary-General to undertake, as soon as feasible, the publication of a juridical yearbook, limited in scope, in addition to the publication of a list of treaty collections and a repertoire of the practice of the Security Council; and

(2) to delete the paragraph of the joint draft calling for a report containing plans for expanded and new publications. The first part of the amendment was rejected by 25 votes to 17, with 10 abstentions, and the second part was thereupon withdrawn by the sponsors.

The Iranian amendment, explained its author, was aimed at reaching a compromise solution. It proposed to reword the paragraph calling for a report on expanded and new publications; according to the Iranian amendment the Secretary-General would prepare and circulate to Member Governments a comparative study of the extent to which developments in customary international law and selected legal activities of the United Nations could usefully be covered by United Nations publications, including a juridical yearbook (for text, see paragraph 2 of resolution, as adopted, below). This amendment was adopted by 41 votes to none, with 10 abstentions.

The first paragraph of the operative part of the joint draft resolution, as revised by its sponsors, was put to the vote in parts. The first phrase "A list of treaty collections" was adopted by 45 votes to none, with 3 abstentions. The second phrase "to be compiled, taking into account the suggestions made during the debate in the Sixth Committee" was adopted by 20 votes to 14, with 14 abstentions.

The joint draft resolution as a whole, as amended, was adopted unanimously.

The draft resolution recommended by the Sixth Committee (A/2258) was considered by the General Assembly at its 400th plenary meeting on 5 December. The Assembly also had before it a report of the Fifth Committee (A/2280) which informed the Assembly that adoption of the Sixth Committee's proposed resolution would involve expenditure in 1953 which could be reasonably estimated at \$14,100 on a gross basis. The Fifth Committee also recommended that, in the event of the adoption of the proposed resolution by the General Assembly, the necessary provision of \$14,100 should be met out of the global appropriation already recommended by the Fifth Committee for publications.

The draft resolution proposed by the Sixth Committee was adopted, without discussion, by

44 votes to none, with 5 abstentions, as resolution 686(VII). It read:

"The General Assembly,

"Considering the report of the Secretary-General on ways and means for making the evidence of customary international law more readily available submitted in pursuance of General Assembly resolution 602(VI) of 1 February 1952,

"Having regard to the detailed plans in the report as to the form, contents and budgetary implications of certain publications referred to in the aforesaid resolution and to the conclusions of the Secretary-General stated in the report,

"1. Authorizes the Secretary-General to undertake, as soon as feasible, the publication of:

"(a) A list of treaty collections, to be compiled taking into account the suggestions made during the debate in the Sixth Committee;

"(b) A repertoire of the practice of the Security Council;

"2. Requests the Secretary-General to prepare and circulate to the governments of Member States a comparative study of the extent to which developments in the field of customary international law and selected legal activities of the United Nations can usefully be covered by an expansion of existing United Nations publications, by the launching of new special publications of limited scope and by a United Nations juridical yearbook; such study shall cover form, contents and budgetary implications."

G. QUESTION OF THE CODIFICATION OF "DIPLOMATIC INTER-COURSE AND IMMUNITIES" BY THE INTERNATIONAL LAW COMMISSION

The item "Giving priority to the codification of the topic 'diplomatic intercourse and immunities' " was placed on the agenda of the seventh session of the General Assembly at the request of Yugoslavia (A/2144).

In an explanatory memorandum (A/2144/Add.1) accompanying the request for its inclusion, Yugoslavia stated that diplomatic envoys had, from the earliest times, been granted certain immunities which were deemed essential to the accomplishment of the concrete tasks they had been assigned. However, in view of the fact that violations of international law in the field of diplomatic intercourse and immunity had "not only become more frequent, but are assuming an increasingly serious character and are tending to become a more or less established feature of international relations, thus imperilling the maintenance of normal relations among States", Yugoslavia considered that this problem should be studied by the International Law Commission without delay as one of "obvious international urgency".

The memorandum stated that the confirmation of the existing rules of international intercourse and immunities by the International Law Commission would in itself mean a substantial contribution to the elimination of "such unhealthy international practices" and would lead to a better observance of the basic rules of diplomatic intercourse.

Yugoslavia felt compelled to propose the codification of this topic, the memorandum said, because the country had itself "been a victim of such practices" and had thus come to the conviction that "their continuance would further im-

pair international relations". The item was considered by the Sixth Committee during its 313th to 317th meetings, held from 29 October to 3 November 1952.

Introducing the question in the Sixth Committee, the representative of Yugoslavia stated that the rules of law concerning diplomatic intercourse and immunities constituted one of the oldest and least controversial parts of international law.

Although the need for codification of these rules had not been felt in the past, certain steps had nevertheless been taken in that direction in both the League of Nations and the United Nations. One of the earliest tasks of the Sixth Committee had been to draft a general Convention on the Privileges and Immunities of the United Nations and, in the report covering the work of its first session, the International Law Commission had provisionally selected diplomatic intercourse and immunities as a topic suitable for codification.

This question, he said, had now become more urgent because of the continuing and increasing violation on the part of the "States of the Soviet bloc" of the fundamental rules of law relating to diplomatic intercourse. These countries had for years been pursuing a policy of aggressive pressure against Yugoslavia and their policy had resulted in Yugoslav representatives being subjected to flagrant violations of privileges and immunities which included: discourtesy; maltreatment and physical attacks; arrest; restriction of travel; denial of medical aid and various services; difficulties concerning food supplies; refusal of exit visas; illegal entry into the embassies and legations; the

prevention of official contact; censorship and refusal of permission to receive mail and newspapers.

Such violations, he said, were threatening to place the relations between States at the mercy of arbitrary action which was a matter of international concern. It should be considered by the United Nations, whose duty it was to safeguard the maintenance of international peace and security and the development of good-neighbourly relations between peoples.

The codification of rules concerning diplomatic intercourse and immunities by the International Law Commission, he submitted, would exert a positive influence on the application of and respect for the traditional rules of diplomacy by facilitating the determination of the offences committed and by serving as a warning to any who were disposed to commit them. The codification would mobilize world public opinion against aggressive machinations in general and against the activities he had mentioned in particular. World tension would certainly be relieved thereby.

Yugoslavia, he said, was of the opinion that the International Law Commission should give priority to this topic, as article 18 of its statute authorized it to do. He submitted a draft resolution (A/C.6/L248) to that effect.

In the course of the debate, most representatives expressed themselves in favour of requesting the International Law Commission to undertake the codification of the topic "diplomatic intercourse and immunities". They considered that, apart from the reasons mentioned by the Yugoslav representative, the topic was in itself sufficiently important to warrant its early codification. The fact that a growing number of international organizations were seeking immunity for the members of their staff made the matter even more pressing. Denmark was in favour of leaving the question to an international conference but a prior study of the question by the International Law Commission would be helpful.

The representative of the United States said that United States diplomats and citizens had also suffered at the hands of the "Cominform regimes" maltreatment similar to that described by the representative of Yugoslavia. Such treatment, the United States representative argued, infringed the basic precepts underlying the Charter and threatened the maintenance of peace. Therefore, to encourage agreement on the rules and practice governing the treatment of diplomatic officials was obviously a step in the right direction. The representative of the United States, supported by the representatives of Colombia and Lebanon,

suggested that the Yugoslav draft resolution should be broadened so as to refer to consular as well as to diplomatic privileges and immunities. The two subjects, in their opinion, were so closely related that it seemed desirable and practical to have them treated together.

Some representatives, including those of Australia, Bolivia, Brazil, China, France, Greece, the United Kingdom and the United States, while in agreement with the main purposes of the Yugoslav proposal, were willing to support it on the understanding that it would not in any way have the effect of disrupting the work of the International Law Commission and that the Commission would have complete freedom of action.

The representative of Colombia, supported by representatives of Argentina, Bolivia, Cuba and El Salvador, considered that the topic "diplomatic asylum" was closely linked to that of "diplomatic intercourse and immunities", and should be added to the topic for which priority was requested. They maintained that the efforts of the American countries and the many jurists of all nations who had contributed to the defence of the human right of asylum clearly indicated that the time was ripe for the codification of this topic and that the circumstances justified its being placed on the Commission's list of priorities.

A number of representatives, however, including those of Afghanistan, Australia, Brazil, Chile, Egypt, India, Liberia, Norway, Panama, Peru, the Philippines, Sweden, Syria and the United Kingdom, admitted that while the topic "right of asylum" was closely related in some respects to the topic "diplomatic intercourse and immunities", it was, in fact, a separate topic and should be treated as such. A few representatives, in particular those of Australia, Brazil, Chile and Sweden, also felt that consular immunity was a topic separate from diplomatic immunity.

The representative of Turkey observed that the object of diplomatic asylum was to ensure to diplomatic agents the inviolability of their person and residence, so that they could carry out their duties. In Europe, the inviolability of the diplomat's residence was an unwritten but generally recognized rule. In Latin America, there were written rules which formed part of conventions separate from those relating to diplomatic agents. There were thus two different conceptions, which should be harmonized in a single clear statement. The International Law Commission had planned to codify diplomatic immunity and the right of asylum under different headings. He thought that the difficulties might be avoided by the addition of the words "including the inviolability of embassies and diplomatic residences", for in that

way the scope of the topic would be limited and at the same time the right of asylum would not be dropped from the Commission's list.

The representative of Iran explained that the prevailing concept in modern times was that the purpose of diplomatic immunity was to enable diplomats to carry out their functions. In his opinion, it was questionable whether the right of asylum was a prerequisite for carrying out diplomatic functions. By adopting the Colombian viewpoint, the General Assembly, he argued, might give the impression that it had endorsed the controversial principle of the right of asylum.

The representatives of the USSR and Poland expressed the view that the discussion in the Sixth Committee had gone far beyond the scope of the item on the agenda. The question before the Committee, they said, concerned only the priority to be given to a certain topic, and there was no justification for discussing the substance of that topic. The discussion, in their opinion, had clearly shown that the item had been artificially created by the United States and Yugoslavia as a propaganda manoeuvre. There was no real need to recommend the topic "diplomatic intercourse and immunities" to be treated as a priority topic by the International Law Commission, because it was already included in the Commission's programme of work, which contained only priority topics. Consequently the Yugoslav proposal could be of value only if there were evidence that the International Law Commission had refused to carry out the General Assembly's earlier request, and there was in fact no such evidence. Moreover, they argued, article 18 of the statute of the International Law Commission, on which the Yugoslav proposal was based, did not apply since this article concerned only new topics referred to the Commission.

These representatives maintained that the charges made of failure to observe diplomatic privileges and immunities were without any foundation. The USSR representative charged the Yugoslav and United States Governments with attempts to carry out, through their diplomatic representatives, diversionist and espionage activities in the people's democracies. In particular, he cited the United States Mutual Security Act.

Voting on the Yugoslav proposal and the amendments to it took place at the Sixth Committee's 316th meeting on 31 October.

The original Yugoslav proposal (A/C.6/L.248) provided that the General Assembly "recommends the International Law Commission to undertake the codification of the topic 'diplomatic intercourse and immunities' as a matter of priority".

Drafting amendments to this proposal were submitted by France (A/C.6/L.249), and oral amendments were proposed by Australia, Belgium, El Salvador, Iran and the United Kingdom.

At the suggestion of the Committee Chairman, a drafting sub-committee, composed of the representatives of Australia, Colombia, El Salvador, France, Iran, the United Kingdom and Yugoslavia, was set up to draw up an agreed text for the consideration of the Committee. As a result, Yugoslavia submitted a revised draft resolution (A/C.6/L.250 and Corr.1), which embodied most of the drafting amendments. The revised draft provided that the General Assembly "requests the International Law Commission, as soon as it considers it possible, to undertake the codification of the topic 'diplomatic intercourse and immunities', and to treat it as a priority topic".

To this revised draft resolution, an amendment was submitted by Colombia (A/C.6/L.251) and oral amendments were proposed by Argentina, Australia, Colombia, Egypt, Haiti, Indonesia and Lebanon.²⁷

Some of the amendments, of a drafting character, were accepted by the representatives of Yugoslavia.

The only amendment adopted by the Committee was that of Argentina and Egypt to delete the reference to the provisions of the Statute of the International Law Commission concerning requests for priority by the General Assembly.

The Committee rejected, by 26 votes to 11, with 16 abstentions, and by 30 votes to 7, with 13 abstentions, respectively, an amendment by Argentina and Indonesia to delete the first paragraph and an amendment by Argentina to delete the fourth paragraph (see below). A further amendment by Argentina, which would have deleted from the operative paragraph the provision that the Commission should undertake the codification "as soon as it considers it possible", was rejected by 28 votes to 13, with 8 abstentions.

The amendment of Lebanon, which would have referred to the treatment of "consular" as well as "diplomatic" representatives, was rejected by 24 votes to 13, with 13 abstentions.

The amendment of Colombia, which would have included "diplomatic asylum" as an aspect of the topic to be codified, was rejected by 24 votes to 17, with 10 abstentions.

The amended draft resolution as a whole was adopted by 42 votes to 5, with 4 abstentions.

²⁷ These amendments, with the exception of the Australian amendment, which was submitted later, were tabulated in a working paper (A/C.6/L.251).

Explanations of voting were given by the representatives of Czechoslovakia and India at the Committee's 317th meeting on 3 November.

The representative of Czechoslovakia had voted against the resolution because, in its final form, he said, it left the International Law Commission completely free to decide when it should discuss the topic in question and consequently did not in any way alter the situation as established under a previous General Assembly resolution (373(IV)). In addition, the discussion had shown that the real purpose of submitting the item had been to give the representatives of Yugoslavia and the United States an opportunity to carry out hostile propaganda against the USSR and the people's democracies. He had not replied to the accusations of the United States representative because those accusations had been irrelevant to the item under discussion, and because there would be ample opportunity to discuss the "hostile activity of the United States against Czechoslovakia" when the General Assembly would take up the item submitted by Czechoslovakia which dealt with the "interference of the United States" in the "internal affairs of other States".

The representative of India said he had voted in favour of the resolution, but his vote should not be interpreted as an endorsement of any of the arguments used in the course of the discussion.

The draft resolution recommended by the Sixth Committee (A/2252) was adopted by the Assembly, without discussion, at its 400th plenary meeting on 5 December by 42 votes to 5 as resolution 685 (VII). The representative of Venezuela later requested that though he had been unable to vote, his vote should be considered as affirmative. The resolution read:

"The General Assembly,

"Recalling the purposes of the United Nations and the provision of the Preamble of the Charter according to which the 'peoples of the United Nations' are determined 'to practise tolerance and live together in peace with one another as good neighbours',

"Expressing its desire for the common observance by all governments of existing principles and rules and recognized practice concerning diplomatic intercourse and immunities, particularly in regard to the treatment of diplomatic representatives of foreign States,

"Considering that early codification of international law on diplomatic intercourse and immunities is necessary and desirable as a contribution to the improvement of relations between States,

"Noting that the International Law Commission has included the topic 'Diplomatic intercourse and immunities' in the provisional list of topics of international law selected for codification,

"Requests the International Law Commission, as soon as it considers it possible, to undertake the codification of the topic 'Diplomatic intercourse and immunities', and to treat it as a priority topic."

H. INTERNATIONAL CRIMINAL JURISDICTION

The Committee on International Criminal Jurisdiction met at Geneva from 1 to 31 August 1951 and prepared a draft statute for an international criminal court (A/2136). As requested by the Assembly, the Committee's report was communicated by the Secretary-General to Member Governments for their observations and the question was placed on the provisional agenda of the Assembly's seventh session. By 23 September 1952, eleven Governments—Australia, Chile, China, Denmark, France, Israel, the Netherlands, Norway, Pakistan, the Union of South Africa and the United Kingdom—had submitted their observations (A/2186 and A/2186/Add.1). Also, India in May 1952 informed the Secretary-General that it did not wish to make any comments at present, and Iraq in June 1952 stated that it had no comments. The observations of the eleven Governments were submitted to the General Assembly.

The Sixth Committee considered the item at its 321st to 328th meetings from 7 to 17 November 1952.

The discussions in the Committee were concerned:

(1) with the question of substance, as to whether, in the light of the report of the Committee on International Criminal Jurisdiction and of its draft statute for an international criminal court, such a court should be established; and (2) with the question of procedure, as to whether the question should be studied further or whether its consideration should be postponed.

Arguments were advanced again, as they had been in the International Law Commission and in the Committee on International Criminal Jurisdiction and, during 1950, in the Sixth Committee²⁸ both in favour and against the establishment of an international criminal court.

²⁸ See Y.U.N., 1950, pp. 857-61; Y.U.N., 1951, pp. 852-54.

Those in favour of establishing the court included, in particular, the representatives of France, Iran and the Netherlands. Among the arguments put forward in favour of establishing the Court were:

(1) that the individual had become a subject of international law and the concept was becoming accepted of the establishment of personal criminal responsibility in an international sense; (2) it was desirable that criminals should be tried by a court already in existence before the crime was committed rather than by an ad hoc tribunal such as that of Nürnberg; (3) the existence of a permanent international criminal court would be a deterrent to crimes; (4) it would contribute to the establishment of a body of precedents in international law; and (5) the court would have many functions to perform and could deal with the lesser as well as the graver crimes of international concern.

Those opposing the establishment of the court included, in particular, the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR. Among the arguments they advanced were:

(1) that since criminal jurisdiction was part of the sovereign rights of States, the establishment of such a court would infringe upon the sovereignty of States; (2) it would result in interference in the domestic affairs of States, thereby violating Article 2, paragraph 7, of the Charter; (3) it was incompatible with the principle of territorial jurisdiction; and (4) it would not contribute to the maintenance of international peace.

The representatives of Egypt, Iraq and Venezuela pointed to the obstacles involved, especially with respect to restrictions upon the concept of state sovereignty. Other objections were:

(1) that the court might simply be used as a forum for propaganda; (2) that it could only meet with success if unusually good relations prevailed among nations whereas relations at present were somewhat strained; and (3) that it might well increase international tension.

Several representatives took the position that it was impracticable in existing circumstances to establish an international criminal court. These included the representatives of Argentina, Brazil, the Dominican Republic, Egypt, El Salvador, India, Indonesia, Iraq, Mexico, the Union of South Africa, the United Kingdom and Venezuela. They emphasized that it was essential that such a court should have the necessary powers to function effectively. Some of these representatives considered that the court envisaged in the draft statute prepared by the Committee on International Criminal Jurisdiction would be unable to function. For example, it was stated that the draft statute imposed no obligations upon States and left such questions as bringing the accused and witnesses before the court and the execution of sentences passed by the court to be dealt with by separate conventions.

In the opinion of the United Kingdom representative, in particular, there was no need for an international criminal court. In his view, war crimes could be dealt with reasonably well by national tribunals, or by ad hoc international tribunals such as those of Nürnberg and Tokyo; these latter tribunals, he said, were more effective than a permanent international court. Judges of neutral nationalities could be appointed in order to overcome the objection that judges of an ad hoc tribunal were often persons of the nationality of the victors. He argued further that the existence of a permanent international criminal court would not constitute a deterrent to crimes against peace and against humanity, since those who committed them relied on the protection of their government and no government would ever start a war unless it expected to win.

Some representatives, including those of Argentina, the Dominican Republic, Egypt, Iraq, India and Indonesia, expressed the opinion that it would be premature to take a final decision for the establishment of an international criminal court until general agreement had been reached on the law to be applied by the proposed court. It would be a contradiction of criminal justice to set up a court without clearly and explicitly defining the law it was to apply. The code of offences against the peace and security of mankind, prepared by the International Law Commission, had not yet been adopted by the General Assembly, and aggression, in particular, had not yet been defined.

The fact that no delegation had as yet declared that its government would agree, at the moment, to recognize the jurisdiction of an international criminal court was also said to militate against the immediate establishment of such a court.

On the question of procedure, most of the representatives, including all of those who were in favour of the establishment of an international criminal court, considered that further study was necessary before a final decision on the matter could be taken. These representatives included, among others, those of Afghanistan, Australia, Canada, Chile, China, Cuba, Denmark, Greece, Haiti, Israel, Liberia, New Zealand, Norway, Panama, Pakistan, the Philippines, Saudi Arabia, Syria, Turkey and the United States. They felt that the Committee on International Criminal Jurisdiction had left unsolved many questions relating to the proposed court. In their opinion, a special committee to undertake a further study of the matter should be established.

It was felt that directives to such a committee should not imply either favour or disfavour of

the idea of an international criminal court, nor should the committee be expected to decide whether the establishment of such a court was feasible; all such questions of policy must be left to the decision of the Sixth Committee. The task of the committee would be to assemble and consider all that had been said regarding the report and the draft statute submitted by the Committee on International Criminal Jurisdiction and to report back to the Sixth Committee regarding the type of statute that could take into account the comments and criticisms which the 1951 report had evoked.

Some representatives, in particular those of Israel, Sweden and Venezuela, noted that only eleven Governments had submitted their observations on the report of the Committee on International Criminal Jurisdiction. The representative of Sweden argued that the views of more governments must be ascertained before any further steps were taken to prepare drafts for the establishment of an international criminal court. As only a small minority of the eleven governments which had submitted their observations favoured the establishment of an international criminal court, he considered that the majority of States were not at present inclined to favour the establishment of such a court. He was in favour of postponing indefinitely the consideration of this question.

The Sixth Committee had before it two draft resolutions—one submitted jointly by Cuba, El Salvador, France, Iran, Israel, the Netherlands and the United States (A/C.6/L.260), which was later revised (A/C.6/L.260/Rev.1); and the other submitted by Sweden (A/C.6/L.261), which was likewise later revised (A/C.6/L.261/Rev. 1 and Rev.1/Corr.1).

Amendments to the original joint draft were submitted by the United Kingdom (A/C.6/L.262). These were, however, withdrawn by the sponsor at the 328th meeting of the Sixth Committee on 17 November, in view of the submission of a revised text of the original joint draft. Oral amendments to the original Swedish draft were proposed by the representatives of Panama and Egypt. These oral amendments were accepted by Sweden at the 327th meeting of the Committee on 14 November and were incorporated in the revised draft resolution.

The revised joint draft resolution (A/C.6/L.260/Rev.) provided, *inter alia*, for the appointment of a seventeen-member committee which would meet in Geneva in August 1953 and, in the light of suggestions made before 1 June 1953 by governments in their written ob-

servations, as well as of those made during the debates in the Sixth Committee, would:

- (1) explore the implications and consequences of establishing the international criminal court and of the various manners by which this might be done;
- (2) study the relationship between such a court and the United Nations and its organs;
- (3) re-examine the draft statute prepared by the Committee on International Criminal Jurisdiction; and
- (4) report to the Assembly at its ninth session.

The draft would also request the Secretary-General to communicate to Members the report of the proposed committee and to place the question of international criminal jurisdiction on the provisional agenda of the Assembly's ninth session.

The representative of the United Kingdom explained that he had submitted amendments to the original joint draft because he felt that its wording should in no way prejudice the question of the possibility of establishing an international criminal court. As it originally stood, the joint draft seemed to take for granted that establishment of such a court was possible, since it instructed a special committee to study the various methods of establishing it, and not the question of principle, that is, whether or not such a court should be established. The special committee, he said, like its predecessor, the Committee on International Criminal Jurisdiction, might decide that the question of principle was not within its competence; but if its terms of reference were drafted as proposed by the United Kingdom, it would be competent to study the question of principle. Since the revised joint draft, in his opinion, came closer to the United Kingdom position by providing for the proposed committee not only to examine way and means of establishing an international criminal court but also to consider the fundamental preliminary question, he withdrew his amendments.

The effect of the oral amendments proposed by the representatives of Panama and Egypt to the revised Swedish draft (A/C.6/L.261/Rev.1 and Corr.1) was to have the General Assembly decide to postpone the consideration of the question of international criminal jurisdiction for one year (instead of indefinitely as provided for in the original draft) in order to give sufficient time to Member States to present their observations. In addition, the draft would have the Assembly urge the Member States which had not yet done so to make their comments and suggestions on the draft statute, in particular if they were of the opinion that further action should be taken by the General Assembly with a view to the establishment of an international criminal court.

It would also request the Secretary-General to publish the comments and suggestions received from governments for such use as the General Assembly might find desirable at a later stage and to place the question on the provisional agenda of the Assembly's eighth session.

Voting on the two proposals took place at the Committee's 328th meeting on 17 November. The representative of Sweden stated that, since his revised draft would have the effect of postponing a decision on the establishment of a new committee to consider the subject, it would be reasonable for it to be voted upon before the revised joint draft, which provided for the immediate establishment of a committee. On his motion, the Committee decided, by 21 votes to 13, with 19 abstentions, to vote first upon his revised draft.

The various parts of the revised Swedish draft were first voted upon and adopted by votes ranging from 21 to 18, with 5 abstentions, to 14 to 11, with 19 abstentions. The revised draft as a whole was adopted by a roll-call vote of 23 to 16, with 7 abstentions.

In view of the adoption of the revised Swedish draft resolution, the Sixth Committee did not vote upon the revised joint draft resolution.

The draft resolution recommended by the Sixth Committee (A/2275) was considered by the General Assembly at its 400th plenary meeting on 5 December. To this draft, the representative of the Netherlands submitted a number of amendments (A/L.119). These, in effect, would have the Assembly appoint a seventeen-member committee to meet at United Nations Headquarters sometime in 1953 to explore the implications and consequences of establishing an international criminal court, to study the relationship between such a court and the United Nations and its organs, and to report to the Assembly.

The representative of the Netherlands, supported by the representatives of Belgium, New Zealand, Pakistan and Yugoslavia, spoke in support of the amendments and the representatives of Poland and Sweden opposed them. They repeated the arguments which had been put forward previously in the Sixth Committee.

The Netherlands amendments were voted upon first, and adopted by votes ranging from 32 to 7, with 11 abstentions, to 28 to 12, with 7 abstentions. The draft resolution submitted by the Sixth Committee, as amended and as a whole, was adopted by 33 votes to 9, with 8 abstentions.

The resolution (687(VII)) read:

"The General Assembly,

"Bearing in mind that, by resolution 489 (V) of 12 December 1950, the General Assembly established a Committee on International Criminal Jurisdiction, consisting of representatives of seventeen Member States, charged with the task of preparing one or more preliminary draft conventions and proposals relating to the establishment of an international criminal court,

"Recalling that, by the same resolution, the General Assembly requested the Secretary-General to communicate the report of the Committee to the governments of Member States so that their observations could be submitted not later than 1 June 1952, and to place the question on the agenda of the seventh session of the General Assembly,

"Noting that the Committee, meeting in August 1951, has prepared a report containing a draft statute for an international criminal court and that the Secretary-General, by a letter of 13 November 1951, has transmitted the Committee's report to the governments of Member States requesting their observations thereon,

"Considering, however, that the number of States which have given their comments and suggestions is very small,

"Considering that there is need for further study of problems relating to an international criminal jurisdiction,

"1. Expresses to the Committee on International Criminal Jurisdiction its appreciation for its valuable work on the draft statute;

"2. Urges the Member States which have not yet done so to make their comments and suggestions on the draft statute, in particular if they are of the opinion that further action should be taken by the General Assembly with a view to the establishing of an international criminal court;

"3. Decides to appoint a Committee composed of one representative each of seventeen Member States, which States shall be designated by the President of the General Assembly in consultation with the Chairman of the Sixth Committee, and directs that this Committee shall meet at the Headquarters of the United Nations in 1953, the exact date to be determined by the Secretary-General, with the following terms of reference:

"(a) In the light of the comments and suggestions on the draft statute submitted by governments, as well as of those made during the debates in the Sixth Committee,

"(i) To explore the implications and consequences of establishing an international criminal court and of the various methods by which this might be done;

"(ii) To study the relationship between such a court and the United Nations and its organs;

"(iii) To re-examine the draft statute;

"(b) To submit a report to be considered by the General Assembly at its ninth session;

"4. Requests the Secretary-General to provide all the necessary services and facilities for the meetings of the Committee."

In accordance with the terms of the resolution, the President of the General Assembly announced, at the 407th plenary meeting on 19 December 1952, that, in consultation with the Chairman of

the Sixth Committee, he had designated the following as members of the new committee: Argentina, Australia, Belgium, China, Denmark,

Egypt, France, Israel, the Netherlands, Pakistan, Panama, Peru, the Philippines, the United Kingdom, the United States, Venezuela and Yugoslavia.

I. QUESTION OF THE REVISION OF THE CHINESE TEXT OF THE GENOCIDE CONVENTION

The permanent representative of China, concurrently with the deposit, on 19 July 1951, of China's ratification of the Convention on the Prevention and Punishment of the Crime of Genocide, requested the Secretary-General to revise the Chinese text of the Convention. He transmitted a new text incorporating the amendments desired by his Government with a view to bringing the Chinese text into greater conformity with the other authentic texts of the Convention. The Secretary-General replied that, since all five official texts adopted by the Assembly were equally authentic, he had no authority to undertake, by himself, the revision of the Chinese text.

The permanent representative of China confirmed that his request should be considered an official request for revision in accordance with article XVI of the Convention.

The Chinese request was discussed by the Assembly at its sixth session. By resolution 605 (VI)²⁹ of 1 February 1952, the Assembly decided that as the elements necessary for the discussion of the question were not yet at its disposal, the item should be included in the provisional agenda of its seventh session.

At the Assembly's seventh session, the Czechoslovak and USSR representatives, at the 79th meeting of the General Committee on 15 October, and the representative of the Ukrainian SSR, at the 380th plenary meeting of the Assembly on 16 October, objected to the inclusion of this item in the agenda. They argued that the request for the revision of the Chinese text of the Convention had been submitted, "not by the legitimate government of the People's Republic of China, which alone is entitled to make such a request, but by the representative of the Kuomintang group, which has been expelled by the Chinese people and occupies a place in the United Nations illegally". After the representative of China, in both instances, had declared that the objections regarding the right of his delegation to make proposals was contrary to the provisions of the Charter and to the rules of procedure and, consequently, out of order, the General Committee, by 10 votes to 2, with 2 abstentions, decided to recommend the inclusion of this item in the agenda; the General

Assembly, by 37 votes to 6, with 10 abstentions, rejected a Ukrainian SSR proposal to exclude the item.

The Assembly, at its 382nd plenary meeting on 17 October, decided to consider the item in plenary meeting without reference to a committee.

The Assembly had before it a memorandum (A/2221) by the Secretary-General which stated that the Language Services Division of the Secretariat had made a comparative study of the original Chinese text of the Convention and the revised text submitted by the Government of China, annexed to the memorandum. The revised Chinese text, it was stated, appeared to introduce in the main only linguistic revisions and not to alter in any sense the substance or meaning of the Convention as expressed in the other four official texts. It was suggested that the Assembly might give effect to any alterations it desired in the Chinese text either by (1) drawing up a protocol listing the alterations agreed upon, which would thereafter have to be formally accepted by the States parties to the Convention, or (2) adopting such alterations by resolution.

The item was considered at the 400th plenary meeting of the Assembly on 5 December 1952. The representative of China submitted a draft resolution (A/L.116) which, in its preamble, would have the Assembly:

(1) refer to the Chinese request for revision of the Genocide Convention; (2) state that the revised Chinese text introduced revisions which, in the main, were of a linguistic nature; (3) declare that official texts in different languages should be in as close harmony as possible; (4) state that the revised Chinese text was in closer harmony than the existing Chinese text; and (5) refer to article XVI, paragraph 2, of the Convention, under which the General Assembly is empowered to decide upon the steps, if any, to be taken in respect of any request for the revision of the Convention.

In its operative part, it would have the Assembly:

(1) approve the revised Chinese text of the Genocide Convention submitted by China;

(2) recommend that States signatories of, or parties to, the Convention accept the revised Chinese text as the official Chinese text, in lieu of the existing Chinese text of the Convention;

²⁹ See Y.U.N., 1951, p. 859.

(3) request the Secretary-General to transmit, in accordance with article XVII of the Convention, a certified copy of the revised Chinese text, as well as a copy of the resolution adopted by the Assembly, to all Members of the United Nations and to the non-member States contemplated in article XI, and to request States already signatories of or parties to the Convention to notify him, within 90 days from the date of transmission, of their acceptance of or objection to the revised Chinese text. The draft resolution would state that it was understood that States failing to signify their objection within this period would be deemed to have accepted the revised Chinese text.

The representatives of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua submitted a joint draft resolution (A/L.123) proposing that the item be referred to the Sixth Committee during the current session.

The USSR representative opposed the consideration of the draft resolution on the same grounds he had advanced in the General Committee. Any decision to alter the Chinese text of the Genocide Convention that the Assembly might adopt on the basis of the application by the representative of the "Kuomintang clique" would, he said, have no legal basis and would consequently have no legal effect.

The joint draft resolution, being of a procedural nature, was put to the vote first and was adopted by 30 votes to 16, with 3 abstentions. The Chinese draft resolution was, therefore, not voted upon.

The Sixth Committee considered the item at its 354th to 357th meetings, on 18 and 19 December 1952.

The representative of China stated that the sole purpose of his Government's request for revision of the existing Chinese text of the Genocide Convention was to bring the text into greater conformity with the other authentic texts of the Convention. He contended that the existing Chinese text was defective and gave several examples to substantiate his contention. The Chinese text submitted by his Government (A/2221, annex III) would, in the opinion of experts in China, remove such defects. He submitted a draft resolution (A/C.6/L.283), the text of which was identical with that of the draft (A/L.116) introduced by China in the Assembly's plenary meeting.

Some representatives, including, among others, those of Egypt, Turkey, the United Kingdom and the United States, expressed themselves in favour of accepting in principle the Chinese request. They emphasized that the Convention on the Prevention and Punishment of the Crime of Genocide did not grant any rights but only imposed obligations on parties to it. In requesting revision of the Chinese text, the Government of

China could not be suspected of seeking advantage from the Convention. It was motivated solely by a desire to rectify some inaccuracies in the Chinese text and its good faith was beyond question. The Secretary-General's memorandum had stated that the changes suggested were only of a linguistic nature and did not alter the substance of the Convention. The Chinese request should therefore be acceded to, the more so as its refusal could not fail to harm the Convention, since the Government of China would then be unable to enforce it.

In the light of the advisory opinion³⁰ of 28 May 1951 of the International Court of Justice on Reservations to the Convention on Genocide, the General Assembly, in the opinion of these representatives, was undoubtedly competent to deal with such a question as that raised in the request of China, even if that request were not in the nature of one for revision within the meaning of article XVI of the Convention. This was so because it was the General Assembly that had prepared and approved the Convention and had proposed it for signature and ratification or accession. It would, therefore, be appropriate for the Secretary-General to transmit the text submitted by China to all the parties to the Convention, which would be free to accept or reject it.

Some representatives, including, in particular, those of Afghanistan and Sweden, stated that, since their Governments had recognized the Central People's Government of China, they felt that that Government should have an opportunity to consider any revision of the Chinese text of the Convention.

The representative of India said that he deplored the absence of any "representative of the 400 million Chinese people" and considered that the matter before the Sixth Committee should be deferred until the question of Chinese representation in the United Nations had been realistically and equitably settled. He therefore urged that there should be no further discussion of the Chinese Government's request at the current session.

The representatives of the Byelorussian SSR, Czechoslovakia, Poland, the Ukrainian SSR and the USSR declared that they could not entertain a request submitted by a Government which their Governments did not recognize as the Government of China. They added that they would not participate in the discussion of the item, would vote against the draft resolution before the Com-

³⁰ See Y.U.N., 1951, pp. 820-33.

mittee and would not consider as legally valid any decision reached without the participation of the People's Republic of China.

In reply, the representatives of Chile, China, the United Kingdom and the United States stated that it was out of order to raise the question of China, since the General Assembly by resolution 609 A (VII)³¹ of 25 October 1952, had decided to postpone for the duration of its seventh session consideration of that question.

As to the substance of the Chinese draft resolution, certain representatives pointed to the legal difficulties involved. The representative of France pointed out that the Convention was binding on its 40 signatories, eleven of which were not Members of the United Nations and stated that the utmost caution must be used in deciding what action the Assembly could take in connexion with a text already binding upon non-member States.

The representative of Mexico declared that the States parties to the Convention were not bound to adopt the revised text submitted by China. It might well be that that text would be accepted by some States and rejected by others, which would result in great confusion.

Some representatives, including, among others, those of Israel and Peru, questioned whether the request of China under consideration constituted one for revision within the meaning of article XVI of the Genocide Convention. In the law of treaties, it was explained, revision was usually construed to mean modification of substance or such modifications of language as were substantive in nature. Accordingly, it was suggested that the Chinese draft resolution should refer to "correction" instead of "revision" and any reference therein to article XVI of the Convention should be omitted. This suggestion was accepted by the representative of China, who withdrew the paragraph of the preamble of the draft resolution which had referred to article XVI of the Convention.

It was also contended by the representatives of Belgium, Colombia, Israel and the Philippines, among others, that, as most members of the Sixth Committee were not well versed in the Chinese language and therefore could not appraise the text submitted by China, the Committee could not, as provided in the first two operative paragraphs of the Chinese draft, recommend that the General Assembly "approve" the text nor ask the Assembly to recommend that States signatories of or parties to the Convention accept the text. Nor could the Committee, as provided in the fourth paragraph of the preamble, assert that the text submitted by China was in closer harmony with the other authentic texts of the Convention

than the existing Chinese text. As to the third paragraph of the preamble, stating that the official texts in different languages of a convention should be in as close harmony as possible, that was said to be a truism which it was superfluous to affirm. In view of these objections, the representative of China withdrew all these paragraphs.

Objections were also expressed to the provision in the third operative paragraph that consent would be presumed where a State signatory of or party to the Convention failed to signify its objection within 90 days. The representative of Belgium said that the General Assembly had, in principle, only powers of recommendation; its recommendations were not binding on States. He considered, therefore, that the Assembly would not be competent to declare, with binding effect, that contracting States would be deemed to have accepted the revised Chinese text unless they had signified objections, thereby subjecting those States to changes in the text of a treaty already in force.

The time-limit of 90 days provided in the same paragraph was criticized as too rigid by, among others, the representatives of Australia, Belgium, Brazil, Colombia, Israel, the Philippines and the United Kingdom. Replies from governments in a treaty matter, they held, often required a longer period. It was also suggested that replies called for under the draft resolution should not be restricted to relate only to "the revised Chinese text", which phrase should be omitted; States should be at liberty to comment not only on the text but also on the procedure and the principle involved. All the passages to which objections had been raised were withdrawn by the representative of China.

As a result of the suggestions accepted by the representative of China, the Chinese draft resolution was revised twice by its author. The first revised text (A/C.6/L.283/Rev.1) was submitted at the 355th meeting on 18 December and the second revised text (A/C.6/L.283/Rev.2) at the following meeting on 19 December.

The second revised text would refer in the preamble to: (1) the Chinese request for a correction of the existing Chinese text of the Genocide Convention, and (2) the Secretary-General's memorandum (A/2221) in which it was stated that the revised Chinese text introduced only corrections which in the main part were of a linguistic nature. In its operative part, it provided that the Assembly request the Secretary-General to transmit a certified copy of the corrected Chinese text of the Convention to the States

³¹ See p. 67.

concerned and to request States signatories of or parties to the Convention to notify him of their acceptance or objection.

The representative of China accepted an oral amendment to this text proposed by the representative of France to refer, in the first paragraph of the preamble, to the "authentic Chinese text" and "the other authentic texts", rather than the "official" Chinese and other texts.

He also accepted a suggestion of the Chairman to delete from the second paragraph of the preamble the reference to the statement of the Secretary-General to the effect that the proposed new Chinese text introduced corrections only of a "linguistic nature" and that it did not in any sense "alter the substance or meaning" of the Genocide Convention as expressed in the other four official texts.

The representative of China also accepted another French oral amendment to delete the last five words of the operative paragraph, which repeated a reference to the "corrected" Chinese text.

The Sixth Committee, at its 356th meeting on 19 December, voted on the second revised draft, as further revised by the representative of China.

It adopted the two paragraphs of the preamble, by 24 votes to 12, with 5 abstentions, and 23 votes to 16, with 3 abstentions, respectively.

The operative paragraph was adopted by 24 votes to 14, with 4 abstentions.

The draft resolution, as a whole, was adopted by 24 votes to 16, with 1 abstention.

The representative of the USSR, at the Committee's 357th meeting on 19 December, declared that he had voted against the draft resolution because he considered that draft irregular for reasons he had explained previously. Accordingly, the USSR, he said, would not attach any legal validity to that draft resolution as regards either the item to which it related or any other item in which it might be invoked as a precedent.

The draft resolution recommended by the Sixth Committee (A/2351) was considered by the Assembly at its 411th plenary meeting on 21 December.

The representatives of China and the United States spoke in support of the resolution and the USSR representative against it; they expressed the views that had previously been advanced in the Sixth Committee.

The representative of Pakistan, stating that he would abstain from voting, said that he entertained some doubts as to the soundness of the resolution, even in its amended form. In his opinion, the proposed new Chinese text sought to introduce into the concept of genocide two new elements, by injecting "ruthlessness" as an inseparable attribute of the crime and by including any kind of human group in the existing definition. If that were so, he said, then the proposed Chinese revision would in effect change the essence of the concept of genocide, and Pakistan was against such a change.

The representative of China deplored that the question of Chinese representation had been raised. As long as his delegation was recognized by the General Assembly, it represented China, he argued. His Government, he explained, needed a satisfactory Chinese text for implementing its obligations under the Genocide Convention, and the Sixth Committee had discovered a formula that would meet that need without causing harm or inordinate inconvenience to anybody. He appealed to the Assembly to accept that formula.

The draft resolution was adopted by 31 votes to 13, with 10 abstentions, as resolution 691(VII). It read:

"The General Assembly,

"Considering that the Government of China has made a request for correction of the authentic Chinese text of the Convention on the Prevention and Punishment of the Crime of Genocide, with a view to bringing the Chinese text into greater harmony with the other authentic texts of the Convention, and had for this purpose submitted a corrected text,

"Considering the memorandum submitted to the General Assembly by the Secretary-General,

"Requests the Secretary-General to transmit a certified copy of the corrected Chinese text of the Convention on the Prevention and Punishment of the Crime of Genocide, as well as a copy of the present resolution, to all Members of the United Nations and to the non-member States contemplated in article XI of the Convention, and to request States signatories of or parties to the Convention to notify him of their acceptance or objection."

J. USE OF THE CITATION "DIED FOR THE UNITED NATIONS"

France, in July 1952, requested the inclusion of the following item in the provisional agenda of the Assembly's seventh session: "Use of the citation 'Died for the United Nations' in respect

to persons who, in certain circumstances, are killed in the service of the United Nations."

In an explanatory memorandum (A/2145/Rev.1), France referred to General Assembly

resolution 483(V)³² of 12 December 1950 which provided for the issue of a United Nations ribbon for personnel participating in Korea in the defence of the principles of the Charter.

In France, and doubtless in other countries, the memorandum stated, those who in certain circumstances fell in the defence of their national territory or during hostilities in which their country was engaged, were declared to have "died for their country" and a notation to that effect was made on their death certificate. France believed that measures similar to those adopted on the national level in certain countries could be adopted by the United Nations to honour those who were killed in its service. Each State could, of course, make domestic arrangements to render such honour, but the tribute, it appeared to France, would rest on a firmer legal basis and would carry greater prestige if it were the outcome of a United Nations decision and were rendered by that Organization.

The French Government had in mind not only men on active service under the flag of the United Nations, as in Korea, but also, in certain cases, those entrusted by the United Nations with missions as mediators or observers in connexion either with measures of pacification or efforts to settle a dispute or a situation and to prevent them from degenerating into hostilities.

In the opinion of the French Government, the conferring of such a citation should not carry with it any material consequences, so that there would be no change in the practice already followed for compensation in respect of persons who had died in the service of the United Nations.

The General Committee at its 79th meeting on 15 October considered the French request. The representative of France explained that the only purpose of the proposal was to pay a tribute to all those who had fallen in the service of the United Nations in the fight against aggression.

The United States supported the inclusion of the item in the agenda, stating that the time had now come to pay a tribute to those who had sacrificed their lives in defence of the principles of the Charter.

The USSR representative declared that the French proposal was the outcome of the current situation in Korea which had been brought about by the aggressive policy of the United States and the States which supported that policy. An attempt, he argued, was being made to involve the United Nations in that policy under cover of the United Nations flag. The USSR, he stated, refused to be associated with such a plan and opposed the inclusion of the item in the agenda.

The General Committee decided to recommend the inclusion of the item in the agenda.

The General Assembly, at its 380th plenary meeting on 16 October, considered the recommendation of the General Committee. The representative of Czechoslovakia proposed the deletion of the item, advancing arguments similar to those the USSR representative had put forward in the General Committee. The representatives of France and the United States spoke in support of its inclusion. The Assembly, by 48 votes to 5, with 1 abstention, rejected the Czechoslovak proposal, and placed the item on its agenda.

It decided to consider the item directly in plenary session without reference to a Committee.

The Assembly discussed the question at its 401st plenary meeting on 5 December 1952. It had before it a draft resolution (A/L.121 and Corr.1) submitted by France which would have the Assembly declare to have "Died for the United Nations" all those killed in the course of an action or mission on behalf of the Organization in connexion with the maintenance of international peace and security, the prevention, or ending of hostilities, or the suppression of aggression.

The representative of France explained that the only purpose of the draft resolution was that of paying a tribute internationally, and quite impartially, to those who die in the service of the United Nations in order to ensure the victory of the Charter's main aim of maintaining international peace and security. It was true that most of those who were now laying down their lives in defence of this aim are falling in Korea. The draft resolution, however, was intended to have a general application, not only to the present, but also to the past and the future. Men had fallen in Greece, in Palestine and elsewhere, and they deserved that their memory should be honoured.

In days gone by, he noted, men had died for just causes; but today, for the first time, they were dying for a peaceful world organization. Through its proposal, France wished to pay a tribute to the soldiers of the United Nations ideal; it also wished in this solemn manner to set a seal upon the United Nations commitment and determination to defend a future in which aggression would be as inconceivable as were the human sacrifices of the past.

The representatives of Belgium, Colombia, Greece, Turkey, the Union of South Africa, the United Kingdom and the United States supported

³² See Y.U.N., 1590, p. 301.

the French draft resolution. They stated that it was appropriate that the United Nations should by this gesture pay tribute to those who have made the supreme sacrifice under its flag and in defence of its ideals. Furthermore, the United Nations in honouring men who had rendered such outstanding services would be honouring itself.

They pointed out that since the United Nations was established many people had laid down their lives in action or on missions on behalf of the Organization and in connexion with the maintenance of international peace and security, the prevention or termination of hostilities, or the suppression of aggression. United Nations actions in Korea was emphasized. The achievements there, the efforts and sacrifices which had been made, far surpassed anything previously undertaken by any international organization in the world's history, it was stated. Special distinctions had been provided for the soldiers defending the United Nations cause in Korea, but the draft resolution now before the Assembly would add a further mark of appreciation for those who lost their lives for the United Nations.

The representative of Greece took the opportunity of paying tribute to the members of the United Nations Special Committee on the Balkans who had died or had been wounded while performing their duty to the United Nations; the representative of the United Kingdom recalled also those who had died in Palestine and Kashmir.

At the end of the discussion, the draft resolution was adopted by 43 votes to 5 as resolution 699 (VII). It read:

"The General Assembly,

"Recalling its resolutions 92 (I) of 7 December 1946 regarding the official seal and emblem of the United Nations, 167 (II) of 20 October 1947 regarding the United Nations flag, and 483 (V) of 12 December 1950 providing for a United Nations distinguishing ribbon or other insignia for personnel having participated in Korea in the defence of peace and of the Principles of the Charter,

"Considering that, together with those killed in ensuring that defence under the United Nations Command, others have met or may meet their death in the service of the United Nations in connexion with actions for the suppression of aggression, or missions the aim of which is the cessation of hostilities, or efforts to prevent a dispute or a situation from deteriorating into hostilities,

"Considering that it is proper to recognize the sacrifice of each and every person in the international cause by rendering to their memory such tribute as will keep alive the remembrance of that sacrifice,

"1. Declares to have 'Died for the United Nations' all those who are killed in the course of an action or a mission on behalf of the Organization in connexion with the maintenance of international peace and se-

curity, the prevention or ending of hostilities, or the suppression of aggression;

"2. Requests the Secretary-General to indicate in each case the actions or missions, past, present or future, coming within the scope of the present resolution."

In accordance with the resolution, the Secretary-General submitted to the General Assembly a list (A/2362), by geographical areas and in the chronological order of the date of their establishment of those past actions or missions of the United Nations in the course of which fatal casualties had occurred, and those actions or missions of the United Nations which were still operational, and which in his opinion came within the scope of this resolution, as follows:

Past missions or actions

(1) United Nations Special Committee on the Balkans established by General Assembly resolution 109 (II) of 21 October 1947

(2) United Nations Commission on Korea established by General Assembly resolution 195(III) of 12 December 1948

(3) Security Council Truce Commission for Palestine established by Security Council resolution of 23 April 1948 (S/727)

(4) United Nations Mediator in Palestine appointed by General Assembly resolution 186(S-2) of 14 May 1948

(5) United Nations Representative for India and Pakistan appointed by Security Council resolution of 14 March 1950 (S/1469)

Present missions or actions

(1) United Nations Truce Supervision Organization established by the Mediator in Palestine in May 1948, and continued by Security Council resolution of 11 August 1949 (S/1376)

(2) United Nations Conciliation Commission for Palestine established by General Assembly resolution 194(III) of 11 December 1948

(3) United Nations Relief and Works Agency for Palestine Refugees in the Near East established by General Assembly resolution 302(IV) of 8 December 1949

(4) United Nations Military Observer Group in India and Pakistan set up in 1949 on the recommendation of the United Nations Commission for India and Pakistan in its resolution of 13 August 1948, to assist in the implementation of the Cease-Fire Agreement of 1 January 1949

(5) United Nations Representative for India and Pakistan appointed by Security Council resolution of 30 April 1951 (S/2017/Rev.1)

(6) United Nations Commission for the Unification and Rehabilitation of Korea established by General Assembly resolution 376(V) of 7 October 1950

(7) United Nations action in Korea initiated by Security Council resolutions of 27 June and 7 July 1950 (S/1511 and S/1588)

(8) United Nations Korean Reconstruction Agency established by General Assembly resolution 410(V) of 1 December 1950

(9) Balkan Sub-Commission established by the Peace Observation Commission on 23 January 1952 (A/CN.7/6)

K. STATUS OF CLAIMS FOR INJURIES INCURRED IN THE SERVICE OF THE UNITED NATIONS

The General Assembly, on 1 December 1949, adopted resolution 365(IV),³³ concerning reparation for injuries incurred in the service of the United Nations, under which the Secretary-General was authorized to present an international claim against the government of a State, Member or non-member of the United Nations, alleged to be responsible, with a view to obtaining the reparation due in respect of the damage caused to the United Nations and to the victim or to persons entitled through him. The Secretary-General was authorized to submit to arbitration such claims as could not be settled by negotiations. The resolution also requested the Secretary-General to submit an annual report to subsequent sessions of the Assembly on the status of such claims.

The Secretary-General, accordingly, submitted to the seventh session of the General Assembly a report (A/2180) informing it of the action taken in connexion with the death in Palestine of one member of the Secretariat and four French military observers and the injury suffered by one French military observer.

In reply to a letter sent by the Secretary-General in May 1951, the Minister for Foreign Affairs of Jordan had disclaimed responsibility for the death in Palestine in July 1948 of Ole Helge Bakke, member of the Secretariat. While expressing its regret and condemnation of the incident, the Jordan Government stated that the shooting had started from the Israel side during the passage of the United Nations convoy which included the jeep driven by Mr. Bakke, that he had been hit by a stray bullet, and that the shot had not been fired by a member of the Arab Legion. The Jordan Government had expressed the hope that it would be relieved of all financial claims connected with the incident.

The Secretary-General reported that, on the basis of the information available to the United Nations, he was unable to release the Jordan Government from all financial liability in connexion with the matter and had proposed in January and again in June 1952 that the claim be submitted to arbitration. The Jordan Government had informed him that it could not agree to this proposal. The Secretary-General stated that in view of the "unwillingness of the Jordan Government to settle this claim by negotiation or by arbitration in accordance with General Assembly resolution 365 (IV)", he sought guidance from the Assembly regarding any future steps which might be taken in the prosecution of the claim.

On 11 September 1952 the Secretary-General requested Israel to pay \$25,233 to the United Nations as reparations for the monetary damage borne by the Organization in connexion with the death of Colonel Andre Sérot, a United Nations observer of French nationality, who was assassinated with the United Nations Mediator Count Folke Bernadotte in Jerusalem on 17 September 1948. Although the claim had not been answered, the Secretary-General recalled that Israel had substantially complied with the United Nations claim for the death of Count Bernadotte.

On 5 September 1952 the Secretary-General requested Egypt to pay \$52,874.20 to the United Nations as reparation for the damage caused to the Organization as a consequence of the deaths on 28 August 1948 of Lt. Colonel Queru and Captain Pierre Jeannel, United Nations military observers of French nationality. The Secretary-General in his letter to the Egyptian Government recalled that the two observers were attacked and killed by Saudi Arabian troops under Egyptian command after leaving their plane which had landed at the Gaza airfield after being the object of Egyptian anti-aircraft fire. Egypt, he reported, disclaimed all responsibility for the deaths of the two observers. In the event that Egypt maintained this position, he recommended the matter to be submitted to arbitration.

The Secretary-General reported that an examination by him of the circumstances of the incident in which Commander René de Labarrière (France) was killed and Commander Etienne de Canchy (France) was wounded on 6 July 1948 in the Nazareth region of Palestine led him to the conclusion that this incident was caused by the explosion of land mines accidentally set off by Commander de Canchy and by a Franciscan Father who was with the two United Nations military observers. The Secretary-General therefore determined that this incident did not involve the international responsibility of any government, and he did not intend to take any further action in the matter.

The report of the Secretary-General was considered at the 357th meeting of the Sixth Committee on 19 December 1952.

The representative of France stated, with reference to the claims in respect of the death of two French officers, that her Government, acting

³³ See Y.U.N., 1948-49, p. 945; see also Y.U.N., 1950, pp. 863-65.

in pursuance of resolution 365 (IV), had concluded an agreement with the Secretary-General whereby the United Nations alone would submit the international claim. The French Government, for its part, had not presented any claim to the governments alleged to be responsible.

The representative of Egypt disclaimed any responsibility of his country for the death of the two French officers on the ground that the aircraft had failed to observe regulations on flights of aircraft over the Egyptian front.

The representative of the Secretary-General gave further details of the Secretary-General's position.

The representative of Sweden introduced a draft resolution (A/C.6/L.288) which, in its operative paragraph, provided that the General Assembly "Urges those governments to which claims have been presented to negotiate a settlement with the Secretary-General, or, if no settlement can be reached, to agree to arbitrate the questions at issue on the basis of a mutually acceptable procedure." He said that he recommended recourse to arbitration as the method of settlement, inasmuch as there were legal questions involved which it had been impossible to settle by negotiation.

The representatives of Greece, the Netherlands, the Philippines, the United Kingdom and the United States were, in principle, in agreement with the Swedish proposal. The Sixth Committee, they stated, was called upon to give the Secretary-General guidance regarding the procedure to be followed to obtain settlement of certain claims and not to pronounce on the merits of the cases referred to in the Secretary-General's report.

They saw no reason why anyone should contest the General Assembly's competence to do what any party to a dispute had a right to do, namely, to request the other party to have recourse to arbitration, a procedure admitted both by international practice and by General Assembly resolution 365 (IV).

The representative of Sweden argued that the acceptance of arbitration was not an admission of responsibility and did not prejudge the substance of the case. Furthermore, these were international claims and could not be brought before national courts.

The representatives of Egypt, Iran, Mexico, Syria and the USSR opposed the Swedish proposal on the following main grounds:

(1) the cases in question involved the United Nations directly, and the Organization should not be judge and party at the same time; (2) the claims presented by the Secretary-General were for damages under private law and should be brought before national courts; (3)

the General Assembly could not impose arbitration on States unwilling to agree to it and could not even recommend to States to submit to arbitration their controversies with the Secretary-General; and (4) the submission to arbitration presupposed an admission of responsibility on the part of a State against which the Secretary-General had brought a claim.

The representative of Mexico, in particular, stated that his delegation could not accept the principle of responsibility of States towards the United Nations. That principle, he argued, would in fact add to and overlap the diplomatic responsibility of States towards the country of which the injured person was a national.

The representatives of Brazil and Yugoslavia felt that the Assembly should perhaps have further information regarding each of the cases mentioned in the Secretary-General's report before inviting the States concerned to submit the Secretary-General's claim to arbitration.

In the course of the discussion, the representative of the United Kingdom stated that arbitration was not the sole method which could be used by the Secretary-General and the States alleged to be responsible; under Assembly resolution 365(IV) they might, for example, conclude an agreement to institute an investigation into the facts. In order that there should be more latitude in the choice of methods likely to lead to a settlement of the claims, he proposed orally that the Swedish draft be amended so as to: (1) delete the third paragraph of the preamble, which would have stated that it was highly desirable that the claims should be settled by direct negotiation or by recourse to arbitration; and (2) replace the operative paragraph by the phrase "Recommends that such claims be settled by the procedures envisaged in resolution 365(IV)."

The representative of France felt that the wording of the Swedish draft was open to misinterpretation; it might be thought that to speak of negotiating a settlement implied an admission that there was something to be settled. Moreover, while the Secretary-General should be encouraged to continue his efforts to reach agreement with the governments in question, those efforts did not necessarily have to be directed exclusively towards arbitration; other means of settlement existed. She therefore supported the United Kingdom proposal.

The representative of the Philippines proposed orally that the words "alleged to be responsible" should be omitted from the second paragraph of the preamble, which referred to the claims presented to Governments alleged to be responsible and the operative part should be redrafted to read: "Invites those governments to which claims

have been presented to consider a just settlement of the question at issue."

The representative of Iran introduced an amendment (A/C.6/L.290) to: (1) delete the third paragraph of the preamble; and (2) replace the operative paragraph by the following: "Invites the Secretary-General to continue his efforts, in pursuance of resolution 365 (IV), to obtain reparation for injuries incurred."

The representative of Sweden stated that he could accept the oral amendments of the United Kingdom and the Philippines, and a modified version of the Swedish draft, incorporating the United Kingdom's amendments and the first Philippine amendment, was presented to the Committee. In view of the acceptance of the United Kingdom proposal to delete the third paragraph of the preamble it became unnecessary to vote on the first part of the Iranian amendment. The second part was rejected by a roll-call vote of 22 to 15, with 5 abstentions.

The Swedish draft, as revised, was then voted

on. The preamble was adopted by 22 votes to 7, with 7 abstentions; and the operative paragraph was adopted by a roll-call vote of 22 to 10, with 10 abstentions. The revised draft resolution as a whole was adopted by 21 votes to 11, with 7 abstentions.

The draft resolution recommended by the Sixth Committee (A/2353) was adopted by the General Assembly, without discussion, by 40 votes to 10, with 4 abstentions, at its 410th plenary meeting on 21 December as resolution 690 (VII). It read:

"The General Assembly,

"Having considered the report of the Secretary-General on the status of claims for injuries incurred in the service of the United Nations.

"Noting that the Secretary-General, pursuant to General Assembly resolution 365(IV) of 1 December 1949 has presented international claims for reparation to governments in connexion with the death of agents of the United Nations,

"Recommends that such claims be settled by the procedures envisaged in resolution 365 (IV)."

L. PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

There was no change in 1952 in the state of accessions to the Convention on the Privileges and Immunities of the United Nations. A total of 38 States had deposited their instruments of accession, as follows (in chronological order):

	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

Date of deposit of instrument

Lebanon	10 March	1949
Iraq	15 September	1949
Israel	21 September	1949
Costa Rica	26 October	1949
Brazil	15 December	1949
Bolivia	23 December	1949
Yugoslavia	30 June	1950
Turkey	22 August	1950

On 25 July 1952 an agreement, which had been initialled on 23 April 1952, was concluded with the Government of Japan relating to the Privileges and Immunities of the United Nations in that country.

During 1952, three instruments of accession, two with reservations, to the Convention on the Privileges and Immunities of the Specialized Agencies were deposited with the Secretary-General; the reservations were submitted to the States and specialized agencies concerned. Four notifications from States already parties to the Convention, namely—Haiti, Luxembourg, Netherlands and Yugoslavia—extending the application of the Convention to further specialized agencies, were also received during 1952.

By 31 December 1952, sixteen States (including two 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:

State	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

A Handbook on the Legal Status, Privileges and Immunities of the United Nations (ST/LEG/2) was issued in mimeographed form on 19 September 1952. It was planned to publish the Handbook as a printed document after experience has been gained regarding the effectiveness of its form and content. The Handbook, which serves as a source of reference, contains such material as the texts of the various agreements on privileges and immunities between the United Nations and Member and non-member States, and the texts of national laws, including those of the host State—the United States—regarding privileges and immunities and related matters.

M. 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 1952.³⁴

International Convention to facilitate the crossing of frontiers for passengers and baggage carried by rail, signed at Geneva on 10 January 1952

International Convention to facilitate the crossing of frontiers for goods carried by rail, signed at Geneva on 10 January 1952

Final Act of the Second United Nations Technical Assistance Conference, signed at Paris on 7 February 1952³⁵

International Convention to facilitate the Importation of Commercial Samples and Advertising Material, done at Geneva on 7 November 1952

Second Protocol of Rectifications and Modifications to the Texts of the Schedules to the General Agreement on Tariffs and Trade, signed at Geneva on 8 November 1952

Second Protocol of Supplementary Concessions to the General Agreement on Tariffs and Trade (Austria and Germany), Innsbruck, 22 November 1952

Additional Protocol amending certain provisions of the Agreement providing for the International Application of the Draft International Customs Conventions on Touring, on Commercial Road Vehicles and on the International Transport of Goods by Road, opened for signature at Geneva from 28 November 1952 to 1 July 1953 and at the United Nations Headquarters until its entry into force

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 1952 to 99.³⁶

During 1952, a total of 126 signatures were affixed to international agreements for which the Secretary-General exercises depositary functions, and 132 instruments of ratification, accession or notification were transmitted to the Secretary-General.

The following seven agreements entered into force during 1952:

Convention on the Declaration of Death of Missing Persons, annexed to the Final Act of the United Nations Conference on Declaration of Death of Missing Persons, signed at Lake Success, New York, on 6 April 1950 (entered into force on 24 January 1952)

Convention on Road Traffic, signed at Geneva on 19 September 1949 (entered into force on 26 March 1952) annexed to the Final Act of the United Nations Conference on Road and Motor Transport held at Geneva from 23 August to 19 September 1949

Agreement on the Importation of Educational, Scientific and Cultural Materials, signed at Lake Success, New York, on 22 November 1950 (entered into force on 21 May 1952)

European Agreement on the application of article 23 of the 1949 Convention on Road Traffic concerning the dimensions and weights of vehicles permitted to travel on certain roads of the Contracting Parties, signed at Geneva on 16 September 1950 (entered into force on 1 July 1952)

Protocol modifying Part I and Article XXIX of the General Agreement on Tariffs and Trade, signed at

³⁴ This list includes all agreements which have been deposited with the Secretary-General from 1 January—31 December 1952 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.

³⁵ Open for signature at United Nations Headquarters until 30 April 1952 but not constituting an international agreement.

³⁶ 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.

Geneva on 14 September 1948 (entered into force on 24 September 1952)

Protocol replacing Schedule VI (Ceylon) of the General Agreement on Tariffs and Trade, signed at Annecy on 13 August 1949 (entered into force on 24 September 1952)

First Protocol of Modifications to the General Agreement on Tariffs and Trade, signed at Annecy on 13 August 1949 (entered into force on 24 September 1952)

3. Revised General Act for the Pacific Settlement of International Disputes

Denmark on 25 March 1952 acceded to all the provisions (Chapters I, II, III and IV) of the Revised General Act for the Pacific Settlement of International Disputes.

N. REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

During 1952, a total of 753 treaties and agreements were registered with the Secretariat—95 *ex officio*, 476 by seventeen governments, and 182 by six specialized agencies. A total of 130 treaties and agreements were filed and recorded—30 by the United Nations, 89 at the request of a government and eleven at the request of a specialized agency.³⁷

This brought to 3,273 the total of treaties and agreements registered or filed and recorded by the end of 1952.

The texts of treaties and agreements registered or filed and recorded are published by the Secre-

ariat in the United Nations Treaty Series in the original languages, followed by translations in English and French. Twenty volumes (62 to 81) of the Treaty Series were published in the course of 1952.

In order to facilitate reference to the United Nations Treaty Series the Secretariat publishes a General Index. Three volumes of the General Index were published by the end of 1952: No. 1 covering the first fifteen volumes of the Treaty Series, No. 2—volumes 16 to 30, and No. 3—volumes 31 to 50. General Index No. 4 covering volumes 50 to 75 of the Treaty Series was being prepared.

O. PROCEEDINGS IN NATIONAL COURTS

The capacity of the United Nations to institute legal proceedings is governed by Article 104 of the Charter and by article I of the Convention on the Privileges and Immunities of the United Nations. With respect to the United States, which has not yet acceded to the Convention, the International Organization Immunities Act of 1945 provides that international organizations, including the United Nations, shall possess the capacity to institute legal proceedings.

Under this authority the United Nations has brought a number of legal actions of a private law character in the courts of several countries. Some of these actions were brought by the United Nations on its own behalf, others on behalf of the United Nations International Children's Emergency Fund (UNICEF) or the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE). For instance, the United Nations undertook to take the necessary steps for the collection of certain maritime and other claims assigned by the United Nations Relief and Rehabilitation Administration

(UNRRA) to the United Nations for the benefit of UNICEF. In the prosecution of these claims the United Nations brought legal actions in the courts of several countries including the United States, Canada and the United Kingdom. Other types of action included the legal proceedings instituted by the United Nations in New York courts in connexion with traffic accidents involving United Nations vehicles, a petition brought in a California court in connexion with the distribution of an estate, and an action instituted in France by the United Nations on behalf of UNICEF and UNRWAPRNE in connexion with the substitution of blankets purchased by UNICEF as agent for UNRWAPRNE.

During 1952 the United Nations continued to be engaged in legal proceedings before the courts of various countries.

³⁷ For further information regarding these treaties and agreements, that is, titles, parties, date of entry into force, date and number of registration, registering parties, see monthly Statements of Treaties and International Agreements Registered or Filed and Recorded with the Secretariat (ST/LEG/Series A/59 to 70).

The legal status of the United Nations was discussed in the two following actions which were commenced in Belgium and Canada respectively by the United Nations as the assignee of claims transferred by UNRRA to the United Nations for the benefit of UNICEF.

United Nations vs. Brandes, Tribunal de Bruxelles, Belgium, (Seventh Chamber), judgment of 27 March 1952. This action was for reimbursement of over-payments made by UNRRA to a former staff member. The defendant contended that the United Nations was not entitled to the rights of UNRRA, and that neither UNRRA nor the United Nations had legal personality. The Tribunal held that UNRRA and the United Nations, having been established by international conventions ratified by Belgian law, were recognized under Belgian law as public international organizations and had legal personality in Belgium. The Tribunal also decided that the United Nations

was entitled to exercise the rights of UNRRA under the terms of the assignment of claims made by UNRRA to the United Nations for the benefit of UNICEF.

United Nations vs. Canada—Asiatic Lines Ltd., et al, Superior Court of Montreal, Canada (No. 317814), judgment of 26 September 1952. This was an action for over-payment of freight paid by UNRRA in connexion with the shipment of supplies to countries receiving UNRRA assistance. The defendant contended that the United Nations had no right to institute legal proceedings. The Court held that, under Canadian law, the United Nations possessed Juridicial personality and had the capacity to institute legal proceedings.

A number of actions against sub-tenants under leases concluded by the United Nations, commenced by the United Nations before New York courts, went to trial during the year under review.

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 Allies. 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 re-defined 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 committees bring together representatives of

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.

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 had 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. Organization

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. Each delegate may be accompanied by not more than two advisers for each item on the agenda of the session.

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,⁴ 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. The Office also acts as the secretariat for the Inter-American Conference on Social Security, organized in 1940 to promote social security in the Americas, and for the International Social Security Association, a private international as-

⁴ International Labour Office. *The International Labour Code 1951* (Geneva, 1952) 2v.

sociation of social security institutions founded in 1927 with the support of the International Labour Office.

A number of commissions and committees exists to further the work of ILO in specific fields. These include, for example, bodies⁵ dealing with: the application of Conventions; maritime questions; agriculture; salaried employees and professional workers; social security; accident prevention; industrial hygiene; women's work; juvenile work; recreation; social policy in non-Metropolitan territories; migration; statistics; indigenous labour; and work in plantations. There are 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.

In addition to the principal working centre of the International Labour Office at Geneva, ILO maintains a liaison office with the United Nations in New York, branch offices in Canada, France, the Federal Republic of Germany, India, Italy, the United Kingdom and the United States, and field offices in Bangalore, India, Rio de Janeiro, Brazil, and Istanbul, Turkey.

Correspondents or agents for the sale of publications are maintained in Argentina, Australia, Austria, Belgium-Luxembourg, Bolivia, Brazil, Bulgaria, 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, 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.

3. Activities during 1952

During 1952 the membership of ILO increased to 66 States with the admission of the new Kingdom of Libya.

The General Conference, at its 35th session held from 4 to 28 June at Geneva, adopted three International Labour Conventions and three Recommendations, bringing the total of Conventions to 103 and the total of Recommendations to 95. The session was attended by 654 government, employer and worker delegates—a record number—from 60 countries.

The Conventions established international minimum standards governing (1) social security (2) the protection of maternity, and (3) holidays with pay in agriculture. Supplementary Recom-

mendations were adopted on the two latter subjects. The third Recommendation dealt with co-operation between employers and workers at the level of the undertaking.

During the year States Members deposited the record number of 102 ratifications of International Labour Conventions, bringing to 1,346 the total of registered ratifications as of 31 December. By the end of the year, 73 of the 103 Conventions had received a sufficient number of ratifications to bring them into force, and six other Conventions had received a sufficient number of ratifications to bring them into force in 1953.

In addition to the General Conference, a large number of ILO's organs held meetings during the period under review. The Governing Body held the following sessions: 118th session, 11 to 14 March; 119th, 30 and 31 May and 27 June; 120th, 24 to 28 November.

At its 120th session the Governing Body decided to place on the agenda of the 1953 session of the General Conference a proposal that the membership of the Governing Body be increased from 32 to 40. Under this proposal, ten of the 40 seats would be held by the States of chief industrial importance, ten by other governments chosen by election, ten by employer representatives and ten by worker representatives.

Other meetings held during the year included the following: second session of the Advisory Committee on Salaried Employees and Professional Workers, Geneva; fourth session of the Metal Trades Committee, Geneva; fourth session of the Iron and Steel Committee, Geneva; Committee of Experts on the Application of Conventions and Recommendations, Geneva; Fifth Conference of the American States Members, Petropolis, Brazil; seventeenth session of the Joint Maritime Commission, Geneva; third session of the Chemicals Committee, Geneva; fourth session of the Petroleum Committee, Scheveningen, the Netherlands; Technical Meeting on the Protection of Young Workers in Asian Countries with Relation to their Vocational Preparation, Kandy, Ceylon; Meeting of Experts on Productivity, Geneva; Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying, Geneva; fourth session of the Asian Advisory Committee, Geneva; Meeting of Experts on the Accommodation and Welfare of Migrants on Board Ship, Geneva; Latin American Manpower Technical Conference, Lima, Peru.

Meetings held in co-operation with the ILO included the second session of the Joint World

⁵ For titles of these bodies, see Y.U.N., 1950, p.

Health Organization—ILO Committee on Occupational Health, Geneva, and the fourth session of the Inter-American Conference on Social Security, Mexico City.

During 1952 the various activities of ILO reflected an increasing emphasis on efforts to contribute to the raising of labour productivity and to combating under-employment and promoting economic development in the under-developed countries.

a. TECHNICAL ASSISTANCE

In the period under review ILO expanded considerably its technical assistance to its Member States. Much of this aid was provided under the Expanded Programme of technical assistance of the United Nations and the specialized agencies.

By the end of the year, a total of 208 experts had been engaged by ILO for assignment to various national and regional projects designed to assist in economic and social development. Of these, 106 experts had completed their assignments by 31 December.

In response to requests from governments, assistance was given to countries in Asia, Africa, the Middle East, Latin America and Europe, principally for vocational and technical training. Other fields in which aid was given were social security, co-operatives and handicrafts, employment service organization, labour surveys, productivity and payment by results, labour statistics, labour legislation and industrial relations, migration, and industrial safety and hygiene.

In addition to the assistance provided through experts, technical aid was also given in the form of seminars and the granting of fellowships for study abroad. Under the Expanded Programme 134 fellowships were granted, while another 25 were provided under the ordinary budget of ILO. Twelve internships were also awarded for the study of ILO itself.

In addition, more than 160 worker-trainees were placed in industrial jobs in foreign countries for periods averaging six months so that they might improve their skills by on-the-job training.

The operational activities financed under the Expanded Programme were accompanied by others conducted under ILO's regular budget. Most of the latter related to manpower questions, and for the most part were carried out through regional field offices at Bangalore, India, Sao Paulo, Brazil, and Istanbul, Turkey.

b. PRODUCTIVITY

The Meeting of Experts on Productivity, held late in the year at Geneva, agreed that the work

of ILO in the field of productivity should have three main objectives:

(1) to promote a wider understanding of the meaning of higher productivity and the results which might be expected from it; (2) to examine and to try to promote agreement on the measures that might be needed to ensure that increases in productivity would in fact lead rapidly to improvements in economic and social welfare for the community in general and, in particular, for those working in undertakings where productivity is raised; and (3) to provide technical assistance and advice on the raising of productivity. Their conclusions were to be considered by the Governing Body in 1953.

ILO undertook activities of these three types during 1952. For example, a general study based on the report of the experts was initiated, and a study on productivity in the metal trades was published.⁶ At the request of the United Nations, work was begun on a report on the role of labour in any programme for increasing productivity. The Chemical Industries Committee considered the organization of shift work, a question with a direct bearing on the efficiency of production.

Certain of the technical assistance projects undertaken during the year dealt specifically with productivity. A mission assisted the Israel Productivity Institute in training the Institute's staff and in training factory personnel in work study methods. Another mission provided assistance with a view to raising productivity and increasing workers' earnings in the Indian textile and engineering industries.

c. MANPOWER

In the field of manpower, the main emphasis during the year continued to be placed on technical assistance directed toward the solution of immediate national problems.

The Latin American Manpower Technical Conference at Lima, Peru, examined problems relating to the utilization of available manpower, explored the desirability and practicability of national public employment services, and considered methods of dealing with mass movements of unskilled labour.

ILO continued to promote manpower surveys and the establishment of machinery for obtaining employment information. Pilot employment service projects were established in Guatemala and Peru, and an Asian regional employment service institute was held at Tokyo. Technical assistance on employment service questions was given to a large number of countries.

⁶ International Labour Office. International Labour Organisation, Metal Trades Committee, Fourth Session. Factors affecting productivity in metal trades: Report III (Geneva, 1952).

An International Classification of Occupations for Migration and Employment Placement was published. The classification is designed to facilitate the geographical and occupational mobility of labour and thereby assist in overcoming manpower shortages impeding increased production. A handbook describing the United Kingdom Employment Service was also published.⁷

Vocational training activities increased during the year, and technical assistance in this field was given to a large number of individual countries. Regional training projects were also undertaken. A technical meeting on the protection of young workers in Asian countries dealt particularly with the vocational preparation of young workers, and an apprenticeship training institute for Asian countries was organized at the end of the year. A seminar was organized jointly by ILO and the Organization of American States, with the co-operation of the United States Department of Labour, the Institute of Inter-American Affairs, and the University of Maryland.

An extensive project for assistance to Yugoslavia, which was launched in 1951, was continued throughout the year. By the end of December, 31 foremen instructors had been sent to Yugoslavia and more than 200 Yugoslav worker-trainees had been placed in 61 industrial establishments elsewhere in Europe.

The Latin American regional vocational training project, for which plans were made in 1951, was put into operation. The project employs the facilities of SENAI (National Industrial Apprenticeship, Service), a training institution organized by Brazilian employer groups.

As regards migration, ILO was chiefly concerned with building up an information service. A series of memoranda on national migration policies and regulations which will cover 26 countries was in course of preparation, and a new bi-monthly periodical, *Migration*, was issued, beginning in January-February.

d. WAGES

In this field, ILO activities were connected in particular with: (1) the relationship of wages to the increasing of productivity and (2) problems of wage policy affecting particular groups of workers and particular regions.

The technical assistance missions to Israel and India mentioned above included within their terms of reference work on incentive wage systems. The Fifth Conference of American States Members, held at Petropolis, Brazil, from 17 to 29 April, examined the question of

methods of remuneration of salaried employees, and a report on wage regulation in Latin American countries was completed. Aspects of wage policy in their particular industries were considered by the Chemical Industries Committee and the Petroleum Committee.

A study of general problems in connexion with the guaranteed wage was continued, and preparations were made for this question to be considered at the 1953 meeting of the Textiles Committee.

e. INDUSTRIAL RELATIONS

As noted above, the subject of co-operation between employers and workers at the level of the undertaking was dealt with in a Recommendation approved by the General Conference. The Recommendation called for appropriate steps to promote such co-operation on matters of mutual concern not within the scope of collective bargaining machinery. Consultation and co-operation, it was suggested, should be facilitated by the encouragement of voluntary agreements or the establishment by laws or regulations of bodies for consultation and co-operation, or a combination of these methods. The Metal Trades Committee considered human relations in metal working plants, and proposed that the subject of human relations in industry should be brought before an early session of the Conference. Technical assistance in industrial relations problems was given to several countries.

f. WELFARE FACILITIES AND SOCIAL SERVICES

Recommendations regarding welfare and social services were made by the Iron and Steel Committee and the Petroleum Committee, and preparations were made for the consideration of problems of workers' welfare by other ILO bodies.

g. HOUSING

Preparations were made for consideration of the question of workers' housing at the Asian Regional Conference of the ILO to be held in 1953. A survey of building research and experimentation in Asia was conducted for a UNESCO meeting on scientific aspects of tropical housing.

h. OCCUPATIONAL HEALTH AND SAFETY

The protection of the health of workers in places of employment was considered by the General Conference, which decided to adopt international regulations on the subject at the 1953 session.

⁷ International Labour Office. *National Employment Services: Great Britain* (Geneva, 1952).

The Meeting of Experts on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying adopted a series of more than 100 recommendations, and expressed the hope that the ILO would serve as a centre for the exchange of information on the subject. A technical study was made of dust problems in foundry operations.

The joint ILO-WHO Committee on Occupational Health, meeting in October, discussed the contribution of public health and occupational health authorities and services in promoting and maintaining the health of workers.

Work was continued on a revision of a study on safety in coal mines and other studies concerning railway coupling operations, and statistics of electrical occupational accidents were in preparation. A report was prepared on the law and practice relating to the safety of dockers.

A large number of technical assistance projects on health and safety questions were undertaken. The quarterly Occupational Health and Safety continued to be published, and a new edition of the Catalogue of Occupational Health and Safety Films was issued.

i. SOCIAL SECURITY

Under the Convention adopted by the General Conference in 1952, ratifying countries will be required to assure a certain minimum standard of social security protection to their populations. The Convention divides social security into nine branches: medical care, sickness, unemployment, old-age, employment, injury, family, maternity, invalidity and survivors' benefits, and provides that ratifying countries shall observe the minimum standards laid down in at least three of these branches, the three to include unemployment, old-age, employment injury, invalidity or survivors' benefits.

The Regional Conference of American States Members made a number of recommendations bearing upon the particular social security problems of the Latin American countries. The third of a series of Latin American social security seminars was held in Brazil in September and October. Assistance continued to be given in the technical work of the Permanent Inter-American Committee on Social Security, and a series of technical questions were discussed by the fourth session of the Inter-American Conference on Social Security at Mexico City.

Technical assistance on social security questions was given to a large number of countries in Latin America, Asia and the Near and Middle East. Support continued to be given to the Interna-

tional Social Security Association, which convened several meetings of experts during the year.

Studies carried out during the year included a survey of the cost of social security in 24 ILO Member countries.⁸

j. EMPLOYMENT

The Iron and Steel Committee requested that a study of the problem of maintaining a high and stable level of employment in that industry be undertaken, and the Metal Trades Committee asked that study of the regularization of production and employment in the metal trades be continued.

The Asian Advisory Committee considered the problem of under-employment in Asia, and made a number of recommendations to deal with it.

k. LAND REFORM

Problems relating to land reform were considered by the Fifth Conference of American States Members, which adopted a resolution drawing the attention of governments to the importance of the efficient use of land resources and to land reform as a positive means of providing security of employment, of checking rural exodus, of increasing productivity and real incomes, and of raising living standards in the rural areas.

ILO participated with representatives of the United Nations, FAO and UNESCO in a working group on land reform.

l. CO-OPERATION AND HANDICRAFTS

In this field, also, technical assistance activities occupied a prominent place in the work of ILO during the year. A field mission to aid the countries of Asia and the Far East in the development of the co-operative movement was opened at Lahore, Pakistan, with a staff of experts in the principal types of co-operatives. Individual technical assistance projects were carried out in a number of countries.

Continuing its work as a centre for information on co-operative and handicrafts questions, ILO published a manual entitled *Introduction to Co-operative Practice*, and a manual on *Model Smithies and Carpenters' Shops*. Work was begun on a survey of the co-operative movement in Latin America.

⁸ International Labour Office. *The cost of social security* (Geneva, 1952). Reprinted from the *International Labour Review*, Vol. LXV, No. 6, June 1952.

m. AGRICULTURAL LABOUR

The question of the application and supervision of labour legislation in agriculture was considered by the Fifth Conference of American States Members, and a series of principles for the guidance of governments was adopted.

The Convention on this question adopted by the General Conference in 1952 establishes the principle that agricultural workers shall have the right to a holiday after a period of continuous service with the same employer.

A study of the working and living conditions of forestry workers was completed, and preparations were made for a meeting in 1953 of the Permanent Agricultural Committee.

n. MARITIME LABOUR

ILO's programme for the improvement of working conditions at sea was reviewed at a meeting of the Joint Maritime Commission in May. On the Commission's recommendation, the Governing Body decided to convene an Asian Maritime Conference in 1953. It was also decided to convene a 1953 meeting of government, ship-owner and seafarer representatives to consider certain problems of seafarers in the short-sea trades of North-West Europe. After considering the report of an expert committee, the Governing Body authorized the Director-General to consult governments on the question of establishing international standards governing the accommodation and welfare of migrants on board ship.

o. WOMEN WORKERS

The General Conference in June adopted a revised Convention on the Protection of Maternity together with a supplementary Recommendation.

A report on problems of women's employment was prepared for discussion by the Textiles Committee in 1953. Studies were made of women's employment conditions in Asian countries. A report on vocational guidance and training and technical education for women was prepared and communicated to the United Nations Commission on the Status of Women.

p. WORKERS IN NON-METROPOLITAN AREAS

Preliminary papers on certain aspects of labour productivity and on workers' housing in non-metropolitan areas were laid before the United Nations Committee on Information from Non-Self-Governing Territories.

q. INDIGENOUS WORKERS IN INDEPENDENT COUNTRIES

The first stage of a joint technical assistance project to improve living conditions of the indigenous populations of the Andean High Plateau was completed. The project is being carried out jointly by ILO, the United Nations, UNESCO, FAO and WHO.

A study of indigenous populations in independent countries was completed with a view to publication in 1953.

r. FREEDOM OF ASSOCIATION

ILO continued the investigation and conciliation of disputes arising out of allegations of the violation of the right of freedom of association. A large number of complaints containing such allegations were examined by a special committee of the Governing Body. The Governing Body dealt with 42 cases, reaching final conclusions in 32 of them.

In a number of cases the Governing Body suggested to governments measures to secure improved protection of trade union rights; some of its suggestions envisaged the liberalization of trade union legislation.

The General Conference adopted a declaration which asserted that "it is essential for the trade union movement in each country to preserve its freedom and independence so as to be in a position to carry forward its economic and social mission regardless of political changes." The declaration stated a number of principles designed to ensure the independence of the unions.

s. FORCED LABOUR

The United Nations-ILO Ad Hoc Committee on Forced Labour held two sessions during the year.⁹

t. PUBLICATIONS

The ILO continued its extensive publishing programme during the year.

Notable among the volumes produced was a new edition of The International Labour Code, a codified and annotated compilation of the Conventions and Recommendations adopted by the Conference through 1951.

Studies published, in addition to those mentioned above, included Textiles Wages, Labour

⁹ See p. 455.

Policies in the West Indies, and Conditions of Work in the Fishing Industry.

Various periodicals continued to be published, including the monthly International Labour Review, the semi-monthly Industry and Labour, the quarterly Occupational Health and Safety, the Legislative Series, and the annual Report to the United Nations and the Year Book of Labour Statistics.

4. Budget

The budget of ILO is approved by a two-thirds vote of the General Conference. The 35th session of the Conference in 1952 approved a budget totalling \$6,223,368 to cover expenses of ILO during 1953. 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	\$ 340,171
Chapter II—General services of the International Labour Office	5,272,838
Chapter III—Profit and loss on exchange	—
Chapter IV—Permanent equipment, etc.	97,000

Section II (Capital expenditure):

Chapter V—Capital expenditure.	100
--	-----

Section III (Unforeseen expenditure) :

Chapter VI—Unforeseen expenditure	—
---	---

Section IV

Chapter VII—Reserve Fund:	
Budgetary allocation	—
Refund of withdrawal	17,990

Total \$5,728,099

Deduct:

Miscellaneous income	81,500
--------------------------------	--------

Net Total of Part I \$5,646,599

PART II—I.L.O. Staff Pensions Fund and U.N. Joint Staff Pension Fund \$ 546,505

PART III—Working Capital Fund:

(1) Third annuity	250,000
(2) Restoration of deficit.	—

PART IV—Building Fund—Third annuity. 25,981

Total Gross Expenditure Budget. \$6,469,085

Deduct:

Working Capital Fund:

Distribution of one-fifth of original Fund	245,717
--	---------

TOTAL NET EXPENDITURE BUDGET. \$6,223,368

The contributions due from Member States for 1953 are as follows (in U.S. dollars):

Member	Percent- age	Gross contribution
Afghanistan	0.12	7,762.90
Albania	0.12	7,762.90
Argentina	2.18	141,026.05
Australia	2.35	152,023.50
Austria	0.35	22,641.80
Belgium	1.72	111,268.26
Bolivia	0.12	7,762.90
Brazil	2.22	143,613.69
Bulgaria	0.28	18,113.44
Burma	0.19	12,291.26
Canada	3.98	257,469.58
Ceylon	0.15	9,703.63
Chile	0.50	32,345.43
China	3.04	196,660.18
Colombia	0.45	29,110.88
Costa Rica	0.12	7,762.90
Cuba	0.38	24,582.52
Czechoslovakia	1.16	75,041.39
Denmark	0.97	62,750.12
Dominican Republic	0.12	7,762.90
Ecuador	0.12	7,762.90
Egypt	0.86	55,634.13
El Salvador	0.12	7,762.90
Ethiopia	0.12	7,762.90
Finland	0.30	19,407.26
France	7.49	484,534.47
Germany, Fed. Rep. of	4.87	315,044.44
Greece	0.22	14,231.99
Guatemala	0.12	7,762.90
Haiti	0.12	7,762.90
Hungary	0.53	34,286.15
Iceland	0.12	7,762.90
India	4.13	267,173.21
Indonesia	0.43	27,817.07
Iran	0.54	34,933.06
Iraq	0.20	12,938.17
Ireland	0.50	32,345.43
Israel	0.12	7,762.90
Italy	3.01	194,719.46
Japan	2.19	141,672.96
Lebanon	0.12	7,762.90
Liberia	0.12	7,762.90
Libya	0.12	7,762.90
Luxembourg	0.12	7,762.90
Mexico	0.81	52,399.59
Netherlands	1.37	88,626.47
New Zealand	0.62	40,108.33
Norway	0.64	41,402.15
Pakistan	0.89	57,574.86
Panama	0.12	7,762.90
Peru	0.25	16,172.71
Philippines	0.37	23,935.61
Poland	1.24	80,216.65
Portugal	0.67	43,342.87
Sweden	2.17	140,379.14
Switzerland	1.81	117,090.44
Syria	0.14	9,056.72

Member	Percent- age	Gross contri- butions	Member	Percent- age	Gross contri- butions
Thailand	0.29	18,760.35	Uruguay	0.23	14,878.90
Turkey	1.05	67,925.39	Venezuela	0.35	22,641.80
Union of South Africa	1.28	82,804.29	Vietnam	0.26	16,819.62
United Kingdom	12.79	827,395.97	Yugoslavia	0.54	34,933.06
United States	25.—	1,617,271.25	Total	100.—	\$6,469,085.—

ANNEX I. MEMBERS, OFFICERS AND HEADQUARTERS (As of December 1952)

A. MEMBERS OF ILO

Afghanistan	Ethiopia	Netherlands
Albania	Finland	New Zealand
Argentina	France	Norway
Australia	Germany,	Pakistan
Austria	Fed. Rep. of	Panama
Belgium	Greece	Peru
Bolivia	Guatemala	Philippines
Brazil	Haiti	Poland
Bulgaria	Hungary	Portugal
Burma	Iceland	Sweden
Canada	India	Switzerland
Ceylon	Indonesia	Syria
Chile	Iran	Thailand
China	Iraq	Turkey
Colombia	Ireland	Union of
Costa Rica	Israel	South Africa
Cuba	Italy	United Kingdom
Czechoslovakia	Japan	United States
Denmark	Lebanon	Uruguay
Dominican Republic	Liberia	Venezuela
Ecuador	Libya	Vietnam
Egypt	Luxembourg	Yugoslavia
El Salvador	Mexico	

B. MEMBERSHIP OF THE GOVERNING BODY

Regular Members

1. GOVERNMENT GROUP

Brazil:	J. R. de Macedo Soares (Substitute: B. Rocque da Motta)
Canada:	A. MacNamara
Chile:	F. Cisternas (Substitute: F. Donoso)
China:	M. L. Tuan
Finland:	E. Wuori
France:	Paul Ramadier (Substitute: H. Hauck)
India:	V. K. R. Menon
Iran ¹⁰	
Italy:	M. Cingolani (Substitute: R. Ago)
Mexico:	P. de Alba
Pakistan ¹⁰	
Portugal ¹⁰	
United Kingdom:	Sir Guildhaume Myrddin-Evans
United States:	Philip M. Kaiser
Venezuela:	V. Montoya

2. EMPLOYERS' GROUP

P. Campanella (Italian)
W. Gemmill (South African)
J. B. Pons (Uruguayan)
Sir Richard Snedden (United Kingdom)
C. E. Shaw (United States)
N. H. Tata (Indian)
P. Waline (French)
F. Yllanes Ramos (Mexico)

3. WORKERS' GROUP

Aftab Ali (Pakistani)
G. P. Delaney (United States)
B. Ibáñez Aguila (Chilean)
L. Jouhaux (French)
A. E. Monk (Australian)
A. Roberts (United Kingdom)
H. Shastri (Indian)
A. Sölvén (Swedish)

Deputy Members

1. GOVERNMENT GROUP

Australia:	P. Shaw
Burma:	Khint Maung (Substitute: Maung Maung Toe)
Colombia:	L. Gonzalez Barros (Substitute: J. A. Gomez Jaramillo)
Greece:	A. Bacalbassis (Substitute: P. Pavlakis)
Norway:	K. J. Oksnes
Philippines ¹⁰	
Switzerland:	M. Kaufmann
Uruguay:	J. Noqueiraz

2. EMPLOYERS' GROUP

H. Taylor (Canadian)
G. A. Allana (Pakistani)
G. Bergenstrom (Swedish)
A. G. Fennema (Netherlands)
A. Calheiros Lopes (Portuguese)
M. Alam (Turkish)
C. Kuntschen (Swiss)
M. Ghayour (Iranian)

3. WORKERS' GROUP

J. Böhm (Austrian)
A. Cofiño (Cuban)

¹⁰ No regular representative had been appointed by the end of 1952.

C. Jodoin (Canadian)
 J. Mori (Swiss)
 G. Pastore (Italian)
 S. de Azevedo Pequeno (Brazilian)
 M. Sumarno (Indonesian)
 A. Vermeulen (Netherlands)

C. OFFICERS OF THE GOVERNING BODY

Chairman: Fernando Cisternas
 Vice-Chairmen: Pierre Waline
 Leon 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: ILONEWS NEW YORK

3. BRANCH OFFICES

Address: International Labour Office
 38 Parliament Street
 London, S.W.1, England

Cable Address: INTERLAB LONDON

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

Address: International Labour Office
 Cochin House
 3 Jantarmantar Road
 New Delhi, India

Cable Address: INTERLAB NEW DELHI

Address: International Labour Office
 1262 New Hampshire Avenue
 Washington 6, D. C.

Cable Address: INTERLAB WASHINGTON

Address: International Labour Office
 95 Rideau Street
 Ottawa, Canada

Cable Address: INTERLAB OTTAWA

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: ILOLAFO RIODEJANEIRO

NEAR and MIDDLE EAST:

Provisional Address: International Labour Office
 Istanbul Universitesi
 İktisat Fakultesi
 İçtimaiyat Enstitüsü
 Istanbul, Turkey

Cable Address: INTERLAB ISTANBUL

ANNEX II. INTERNATIONAL LABOUR CONVENTIONS

The following additional ratifications of International Labour Conventions were deposited during 1952

No.	Title	Additional and Total Ratifications	No.	Title	Additional and Total Ratifications
FIRST SESSION, 1919			THIRD SESSION, 1921		
1.	Limiting the hours of work in industrial undertakings to eight in the day and 48 in the week—Effective 13 June 1921	29	11.	Concerning the rights of association and combination of agricultural workers—Effective 11 May 1923	2 38
3.	Concerning the employment of women before and after childbirth—Effective 13 June 1921	19	13.	Concerning the use of white lead in painting—Effective 31 August 1923	1 28

No.	Title	Additional and Total Ratifications	No.	Title	Additional and Total Ratifications
14.	Concerning the application of the weekly rest in industrial undertakings—Effective 19 June 1923	1 39			
SEVENTH SESSION, 1925					
17.	Concerning workmen's compensation for accidents—Effective 1 April 1927	1 25			
18.	Concerning workmen's compensation for occupational diseases—Effective 1 April 1927	1 33			
TENTH SESSION, 1927					
25.	Concerning sickness insurance for agricultural workers—Effective 15 July 1928	1 13			
FOURTEENTH SESSION, 1930					
29.	Concerning forced or compulsory labour—Effective 1 May 1932	1 26			
30.	Concerning the regulation of hours of work in commerce and offices—Effective 29 August 1933	1 13			
SIXTEENTH SESSION, 1932					
32.	Concerning the protection against accidents of workers employed in loading or unloading ships (revised)—Effective 30 October 1934	1 16			
SEVENTEENTH SESSION, 1933					
39.	Concerning compulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in the liberal professions and for outworkers and domestic servants—Effective 8 November 1946	1 6			
40.	Concerning compulsory widows' and orphans' insurance for persons employed in agricultural undertakings—Effective 3 September 1949	1 5			
EIGHTEENTH SESSION, 1934					
42.	Concerning workmen's compensation for occupational diseases (revised)—Effective 17 June 1936.	3 25			
44.	Ensuring benefit or allowances to the involuntarily unemployed—Effective 10 June 1938	1 8			
NINETEENTH SESSION, 1935					
45.	Concerning the employment of women on underground work in mines of all kinds—Effective 30 May 1937	2 34			
48.	Concerning the establishment of an international scheme for the maintenance of rights under invalidity, old-age and widows' and orphans' insurance—Effective 10 August 1938	1 7			
TWENTIETH SESSION, 1936					
52.	Concerning annual holidays with pay—Effective 22 September 1939	2 12			
				TWENTY-FIRST SESSION, 1936	
			53.	Concerning the minimum requirement of professional capacity for masters and officers on board merchant ships—Effective 29 March 1939	1 13
			55.	Concerning the liability of the shipowner in case of sickness, injury or death of seamen—Effective 29 October 1939	1 6
			TWENTY-SECOND SESSION, 1936		
			58.	Fixing the minimum age for the admission of children to employment at sea (revised)—Effective 11 April 1939	2 13
			TWENTY-THIRD SESSION, 1937		
			59.	Fixing the minimum age for admission of children to industrial employment (revised)—Effective 21 February 1941	1 4
			60.	Concerning the age for admission of children to non-industrial employment (revised)—Effective 29 December 1950	1 3
			TWENTY-FOURTH SESSION, 1938		
			63.	Concerning statistics of wages and hours of work in the principal mining and manufacturing industries, including building and construction, and in agriculture—Effective 22 June 1940	1 17
			TWENTY-EIGHTH SESSION, 1946		
			68.	Concerning food and catering for crews on board ship— ¹¹	2 6
			69.	Concerning the certification of ships' cooks ¹¹ —Effective 22 April 1953	3 10
			73.	Concerning the medical examination of seafarers— ¹¹	2 6
			74.	Concerning the certification of able seamen—Effective 14 July 1951	2 6
			TWENTY-NINTH SESSION, 1946		
			77.	Concerning medical examination for fitness for employment in industry of children and young persons—Effective 29 December 1950	2 6
			78.	Concerning medical examination of children and young persons for fitness for employment in non-industrial occupations—Effective 29 December 1950	2 5
			79.	Concerning the restriction of night work of children and young persons in non-industrial occupations—Effective 29 December 1950	2 4
			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	2 39

¹¹ Not in force by the end of 1952.

No.	Title	Additional and Total Ratifications	No.	Title	Additional and Total Ratifications
	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		92.	Concerning crew accommodation on board ship (revised) ¹¹ —Effective January 1953	3 8 29
	THIRTIETH SESSION, 1947		93.	Concerning wages, hours of work on	1 1
81.	Concerning labour inspection in industry and commerce — Effective 7 April 1950	3 16	94.	Concerning labour clauses in public board ship and manning (revised) contracts—Effective 20 September 1952	5 9 1 1
84.	Concerning the right of association and the settlement of labour disputes in non-metropolitan territories ¹¹ — Effective 1 July 1953	1 2	95.	Concerning the protection of wages—Effective 24 September 1952	5 8
86.	Concerning the maximum length of contracts of employment of indigenous workers ¹¹ — Effective 13 February 1953	1 2	96.	Concerning fee-charging employment agencies (revised)—Effective 18 July 1951	3 6
87.	Concerning freedom of association and protection of the right to organize — Effective 4 July 1950	2 14	97.	Concerning migration for employment (revised)—Effective 22 January 1952	4 6
	THIRTY-FIRST SESSION, 1948		98.	Concerning the application on the principles of the right to organize and to bargain collectively—Effective 18 July 1951	6 11
88.	Concerning the organisation of the employment service Effective 10 August 1950	5 16		THIRTY-FOURTH SESSION, 1951	
89.	Concerning night work of women employed in industry (revised) — Effective 27 February 1951	5 13	99.	Concerning minimum wage fixing machinery in agriculture ¹¹ —Effective 23 August 1953	2 2
90.	Concerning the night work of young persons employed in industry (revised) — Effective 12 June 1951	3 6	100.	Concerning equal remuneration for men and women workers for work of equal value ¹¹ —Effective 23 May 1953	3 3
	THIRTY-SECOND SESSION, 1949			The three Conventions adopted at the thirty-fifth session in 1952 had received no ratifications by the end of the year. They are:	
91.	Concerning vacation holidays with pay for seafarers (revised) ¹¹	3 6	101.	Concerning holidays with pay in agriculture ¹¹	
			102.	Concerning minimum standards of social security ¹¹	
			103.	Concerning maternity protection (revised) ¹¹	
				¹¹ Not in force by the end of 1952.	

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 banish 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 con-

cerned 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, in Quebec. On 14 December 1946, FAO was formally brought into

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.

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 promotes 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

FAO consists of a Conference, a Council, and a staff 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 eighteen 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.

Panels of experts on agriculture, economics and statistics, fisheries, forestry and forest products, nutrition and rural welfare have been established by FAO. These panels can be drawn upon for expert advice, and the Director-General may convene ad hoc meetings of small numbers of experts selected from these panels as the need arises.

In problems of co-ordination of technical programmes, the Director-General is advised by a Co-ordinating Committee of seven members. The Committee on Financial Control advises on budgetary and administrative questions. There is also a continuing committee on relations with international organizations and one on commodity problems.

National FAO Committees, established in 51 Member countries, serve as contacts between FAO and governmental and non-governmental agencies. The permanent headquarters of FAO is established at Rome.

3. Activities during 1952

The membership of FAO decreased from 69 to 68 during 1952. The withdrawal of Hungary and China became effective in January and July, respectively, but Peru ratified the FAO Constitution in June.

In accordance with its decision of 1949 to meet every two years, the FAO Conference held no session during the year. The FAO Council held its fifteenth and sixteenth sessions, from 9 to 14 June and from 17 to 28 November. At its

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.

sixteenth session the Council agreed to recommend to the next Conference that the number of Council members should be raised to one third of the number of Member Governments, with a maximum of 24.

a. AGRICULTURE

One of FAO's principal achievements during the year was the establishment of the International Plant Protection Convention, signed by 39 countries, which came into operation officially in May 1952. This Convention is designed to simplify and rationalize procedures intended to prevent the spread of plant diseases and pests. For example, the Netherlands had hitherto had to issue 80 different kinds of certificates for sending bulbs to other countries; now, one type of certificate is accepted by all countries subscribing to the Convention. Another purpose of the Convention is to facilitate co-operation in fighting pests and diseases which sweep across continents and countries, regardless of national boundaries. The Convention also requires FAO to establish and run a "world reporting service on plant pests and diseases". As part of this service, FAO in September began publishing a new periodical, *Plant Protection Bulletin*, which includes, among other features, information on the occurrence of plant diseases and pests and plant quarantine announcements. Another publication, the *Digest of Plant Quarantine Regulations*, was also issued to assist the operation of the Convention.

In 1952, a programme initiated earlier through FAO to co-ordinate national and international control measures against the desert locust in the Middle East met its first test. The FAO Technical Advisory Committee on Desert Locust Control first met in Rome in March 1952, considered the locust threat, and planned for concerted efforts against the plague. Thereafter, when national control measures were insufficient, equipment and materials (planes, vehicles, sprayers and dusters, insecticides and bran for bait) and expert assistance were provided from neighbouring countries, and from other countries through such agencies as the U.S. Point Four programme and the Desert Locust Control (Nairobi); the Anti-Locust Research Centre (London) provided technical advice and information. In addition to its work of co-ordinating such efforts, FAO contributed \$500,000 of technical assistance funds towards the campaign. In November 1952 the Technical Advisory Committee reviewed the season's work and assessed the needs of 1953. Serious crop damage had been prevented, but it was expected that in 1953 further efforts

would be needed against locusts escaping from some of the areas affected in 1952. The FAO Council, at its sixteenth session, commended the development of this co-ordinating activity and recommended that FAO extend its co-operation with international committees in Central and South America against locust plagues.

As regards livestock production, successful vaccination campaigns to wipe out rinderpest were being carried out during 1952 in Afghanistan, Ethiopia and Thailand; in the last two countries vaccine production facilities had previously been set up with FAO assistance and in Afghanistan the FAO team manufactured vaccines on the spot. Efforts to control foot-and-mouth disease were also made during the year. A draft agreement providing for the establishment of a European Commission to combat this disease on an international basis was drawn up, for submission to Member Governments, by a conference of seventeen European nations held at Rome in December. This Commission would co-ordinate activities and assist countries in the control of the disease. The establishment of such a commission in Latin America was also suggested by the second Inter-American Meeting on Livestock Production, held near Sao Paulo, Brazil, during December. This meeting witnessed an enormously increased interest by Latin-American countries in the question of livestock production as a whole. In addition to providing a forum for the discussion of mutual problems, it directed increased attention to problems of livestock at high altitudes, especially important in the Andean region.

A programme for improving grasslands, the main source of fodder and the chief means of maintaining or restoring soil productivity, was initiated by a meeting of representatives from eleven countries and territories in the Mediterranean area. In addition to its agricultural study, *Improving the World's Grasslands*, published to encourage grassland development, FAO began compiling a *World Catalogue of Tropical and Sub-Tropical Forage Plants* in order to make available the necessary information concerning the characteristics of plants and the conditions under which they grow. It also sent seeds of legumes, grasses and forage crops to interested countries for experimental autumn plantings.

The International Rice Commission held its third session at Bandung, Indonesia, in May, just after sessions of its two working parties, on Rice Breeding and on Fertilizers. A meeting on rice storage was held in December. Efforts to overcome the rice shortage included the establishment, at the Central Rice Research Institute at Cut-

tack, India, of a Training Centre on Rice Breeding, to help Asian countries to improve production and to develop disease-resistant strains of rice. Other activities concerned with plant breeding included the fifth of the series of hybrid maize meetings, held in Zurich, Switzerland, in February, and a conference on wheat breeding for Near Eastern countries, at Istanbul, Turkey, in June. The hybrid maize programme expanded to such an extent that in some countries a severe strain was put on the breeding services because of the rapidly expanding production of seed. Increased yields were also evident through the use of improved varieties; in Italy, for example, where in 1951 only 5 per cent of the country's entire maize area was planted in hybrids, production increased by at least 100,000 tons.

As regards basic agricultural problems, FAO began studying the intricate problems relating to agrarian reform. FAO, the United Nations, ILO and UNESCO, meeting for the first time on this subject, exchanged views on land reform problems. Related questions concerning the establishment or extension of agricultural credit, particularly in Latin America, were also examined during 1952, and FAO assisted governments in the Near East, the Far East and South America in the development of agricultural extension and co-operation. As in previous years, FAO co-operated with other agencies, especially UNESCO, for example by providing the agricultural component of missions or teams, notably at fundamental education centres at Patzcuaro, Mexico, and in Liberia.

b. ECONOMICS

During 1952 FAO's field work in economics consisted largely in the operation of training centres and seminars. Much of this work began under FAO's regular programme, but the training centres have subsequently been operated under the Expanded Programme of technical assistance, and requests for such facilities have shown a marked increase. Examples of such training centres and seminars held during 1952 were the Centre for Application of Agricultural Statistical Techniques, held at Quito, Ecuador, from July to October, the Seminar on Production and Price Statistics, held at Beirut, Lebanon, in July and the Indo-Pacific Fisheries Statistics Training Centre, held at Bangkok, Thailand, in July.

FAO continued to issue its series of Agricultural Statistical Yearbooks, covering trade and production of every agricultural commodity with which the Organization is concerned. It also continued its series on Forest Products Statistics and, in The

State of Food and Agriculture, 1952 reviewed the whole field against the background of the general world economic situation. The FAO monthly Bulletin of Agricultural Economics and Statistics (formerly the Bulletin of Food and Agricultural Statistics) was published in a new and enlarged form, beginning in May.

A working party of experts from food-importing and food-exporting countries explored the practical problems arising from proposals for the establishment of an Emergency Famine Reserve to supply food to countries stricken by such natural calamities as crop failure, drought and flood. A further export group was established to deal with some of the other outstanding problems, particularly the financial aspects involved. These reports are to be considered by the seventh session of the Conference in November 1953.

The Committee on Commodity Problems held three meetings during 1952. It reviewed developments in connexion with a number of commodities, and paid particular attention to the world rice shortage and means of stimulating consumption of milk and milk solids. It also studied some aspects of trends in world food trade, and the broader problems affecting agricultural commodities, such as obstacles to trade, national marketing and price policies, and price stabilization, including the potential role of long-term contracts and intergovernmental commodity agreements.

c. FISHERIES

As regards FAO's work in fisheries, a comprehensive fisheries training centre was held at Valparaiso, Chile, in January. Attended by representatives of seven Latin American countries, it covered the whole subject from biology to commercial processing, statistics and fisheries administration. A seminar on freshwater fish culture in South East Asia was held at Djarkarta, Indonesia, during May and June, and a six-week training course on the subject was inaugurated in September in Thailand. During 1952 it became apparent that FAO's work to encourage freshwater fish culture in areas, ranging from South East Asia to Haiti, where there were serious deficiencies in animal protein, had proved successful.

The success of the Indo-Pacific Fisheries Council led during 1952 to the establishment of a General Fisheries Council for the Mediterranean, whose first meeting was held at Rhodes, in July. In May a meeting of fifteen countries held at Copenhagen, Denmark, discussed the improvement of fisheries statistics in general, a matter of importance to all countries having a fishing industry.

d. FORESTRY

Several of FAO's most important activities in forestry in 1952 took the form of training courses, such as that in timber grading centred at Kuala Lumpur, Malaya, during January and February, at which eight Asian countries were represented. Later in the year, a course in mechanical logging opened in the Philippines, some 40 trainees attending. Timber production and conservation in the Near East was considered at a meeting held in Amman, Jordan, in December. The meeting reviewed special techniques of afforestation and reforestation, including the afforestation of high-altitude areas and sand dune fixation, tree planting on village lands, the establishment of windbreaks, shelterbelts and village fuel areas, and the role of fast-growing species, such as eucalyptus and poplar, in rebuilding eroded land and producing timber and wood products. FAO's Asian-Pacific Forestry Commission, during its second session in Singapore in December, reviewed forestry problems of tropical countries and studied questions relating to rain forests, mangrove forests and afforestation in low-rainfall areas, methods of increasing pulp production in the Far East, and the use of aerial photography for making inventories of tropical forests.

Other work in forestry included a study on timber trends in Europe, undertaken in co-operation with the Economic Commission for Europe (ECE), a study on forest policies of various nations and a survey, undertaken at the request of the United Nations Economic and Social Council, of alternative sources of pulp and paper. In connexion with this last survey, a meeting of some 25 of the world's leading pulp and paper technologists was held in Rome in December; it examined the world supply situation and initiated a scheme for comparative tests of possible new raw materials in laboratories in many different parts of the world. This work on pulp and paper was supplemented by a series of surveys, undertaken under the Expanded Programme of technical assistance, in the most important tropical areas.

e. NUTRITION

In its work on nutrition, FAO continued during 1952 to co-operate with other organizations and with United Nations agencies, especially with United Nations International Children's Emergency Fund (UNICEF) and the World Health Organization (WHO). A course was held at Marseilles, France, for French-speaking nutritionists, jointly with WHO, and a conference on

home economics and nutrition education was held at Port-of-Spain, Trinidad, jointly with the Caribbean Commission. This conference was attended by representatives from eleven countries or territories and by observers from sixteen other interested governmental or international organizations. In Africa, two meetings on malnutrition in mothers, infants and young children were held during November in Gambia, one sponsored by the Commission for Technical Co-operation South of the Sahara, the other concerned with the same problems on a world basis. These meetings were part of the work being done over a wide area by FAO and WHO in combating the serious nutritional disease of children known as kwashiorkor.

During 1952, increased interest in home economics was especially evident in the Near East, where an FAO staff expert made a prolonged tour to obtain first-hand information on some of the region's problems.

f. ACTIVITIES UNDER THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE

During 1952 there was a considerable expansion of FAO's activities under this Programme of which FAO's share is approximately 29 per cent of the total funds available. By the end of 1952, for example, experts of 48 nationalities were at work in some 55 countries, the comparable figures for the end of 1951 being 38 and 35; in all, 315 experts, as compared with 171 at the end of 1951, were actually at work in the field as of 31 December 1952, and, by that date, 295 assignments had been completed since the inception of the Programme in 1950. Over 900 requests for assistance had been received by the end of the year. During 1952 experts were selected increasingly from the countries receiving assistance.

Besides individual projects covering all FAO's various fields of interest, a number of highly important major operations were under way in certain countries during the year. Some projects have already been referred to above. The large-scale operations were the major development projects, often concerned with the development of millions of acres, in Ceylon, Honduras, Iran and Pakistan. Such projects, which may entail complete development of unused areas, or the reclamation and re-development of those in which cultivation has lapsed, as in India, require usually a large team of experts. Agronomists, land and water engineers and foresters are especially in demand. Their work has often followed that of one or more economists responsible for the over-all plan-

ning. At the same time, especially where a complete new social system is being evolved in the developed area, extension and rural welfare of this nature also entail full co-operation with other agencies, as for example with the International Bank in the initial planning stage and with WHO and UNESCO when the health, nutritional and educational aspects come under consideration. To ensure correlation of efforts, as well as to help eliminate duplication, FAO during 1952 appointed a number of experts as Mission Chiefs in countries where individual experts were working on different, but inter-related, problems and where other agencies such as the Point Four Administration also had teams in the field.

The following are a few examples of individual projects on which FAO experts worked during 1952. In Pakistan, an expert examined and reported on the incidence of liver fluke, a parasite especially of sheep, well known in many other parts of the world. In India, low-cost food preservation methods were demonstrated by a food technologist. In Iraq, following recommendations made by a French physician and nutritionist sent by FAO, the Government was taking steps to provide children with a better balanced diet. Dairy technicians and nutrition experts were also working in several Latin American countries. India, Ethiopia and Libya received assistance from experts on hides and skins. A date culture expert worked in Saudi Arabia to improve that country's date output to a point where it could be a valuable source of external revenue. In Afghanistan, a silk-worm expert from China showed how to improve the country's silk industry and produced the first autumn-crop silk cocoons ever seen in that country. Experiments in material for tropical housing resulted from the work of a German timber technologist in Burma, originally sent on a logging mission. He sent specimens of the local hardwoods back to Germany, where they were broken down into small chips, treated with a special resin and rebuilt into boards. From these, pre-fabricated houses were built and, after laboratory tests, at the end of the year were sent back to Burma for prolonged tests under local conditions.

The training centres and fellowship programmes, also conducted under the Expanded Programme, increased during 1952. Some training centres were run as study tours. For example, a group of 30 technicians from twenty countries toured eucalyptus natural forests and plantations in Australia and visited industrial installations and research laboratories working with this versatile genus. Eucalyptus trees are considered

promising for afforestation and reforestation purposes and have already been tried with some success in the arid countries of North Africa and the Near East. The study tour enabled the participants to obtain information for use in their home countries on the silviculture, nursery and plantation practices, seed exchange and wood utilization methods observed in Australia, the native habitat of the eucalyptus.

Under FAO's fellowship programme, by the end of 1952, 67 fellows had completed their training and an additional 200 had been appointed and were either already studying abroad or about to begin doing so; this compared with a total of 95 fellows appointed by the end of 1951.

Progress was also made during the year with a number of regional projects. Many of these had in effect taken over work initiated under FAO's regular programme such as: the work on desert locust control; the rice hybridization project, centred in India, but effective for the whole Far Eastern region; and the project, begun in 1952, for surveying the possibilities of improving supplies of raw materials for pulp and paper, or finding new raw materials.

g. PUBLICATIONS⁵

FAO publications appear in English, French and Spanish editions and are available in depository libraries and through sales agents in various countries. In many cases FAO sales agents are the same as those of the United Nations. A Catalogue of Publications, 1945-1951, in three separate editions, was published in 1952, and kept up to date through periodical lists and publications bulletins. This catalogue incorporated all the available titles of the former International Institute of Agriculture which was absorbed into FAO in 1946.

FAO regular series include agricultural studies, nutrition, forestry and fisheries studies, statistics bulletins and commodity bulletins and studies. Yearbooks of food and agriculture, fisheries and forestry, and a growing list of directories of institutions, research stations and schools, as well as of such commodities as wheel-and-track type tractors and mechanical saws, are produced annually or biennially.

A number of FAO technical publications were reprinted during 1952, including: Soil Conservation: an International Study; The Efficient Use of Fertilizers (in Spanish); Weed Control by

⁵ For further information on FAO publications and sample copies of FAO periodicals, apply to FAO Documents Sales Service.

Growth Regulating Substances; Nutritional Deficiencies in Livestock; Using Salty Land; Teaching Better Nutrition (in Spanish); Food Composition Tables for International Use; and an economic survey of the Progress and Economic Problems of Farm Mechanization.

Among the new publications issued in 1952 were fourteen titles in the Agriculture Development Papers, including Land Utilization in Tropical Areas, Communal Land Tenure and Cereal Breeding Procedures.

Added to FAO's nutrition list were Kwashiorkor in Africa (a joint WHO/FAO survey), and Maize and Maize Diets.

Three important titles were added to the series of forestry studies: Forest and Range Management, Tropical Woods and Agricultural Residues as Alternative Sources of Wood Pulp and the report of the 1952 wood pulp meeting.

In the Commodity Series and the briefer and more frequent Commodity Reports, up-to-date reports were issued on the situation of all the most important agricultural commodities, and a new series of economic policy studies was begun, the first three titles being A Reconsideration of the Economics of the International Wheat Agreement, The Long-term Contract, and a Survey of National Measures for Controlling Farm Prices in Western European Countries.

In addition to the periodical publications mentioned above in connexion with FAO's activities, the Organization published the World Fisheries Abstracts; the quarterly of forestry, Unasylva, and the ECE/FAO Timber Statistics; a monthly Memo, for general distribution and as a special service for non-governmental international organizations collaborating with FAO. A Director-General's Monthly Letter was issued to collaborators in FAO's work.

4. Budget

The sixteenth session of the Council adopted a budget of \$5,250,000 (U.S. dollars) to meet the expenses of FAO during 1953, as follows:

Conference and Council	\$ 127,500
Office of the Director-General	251,066
Administrative Services	404,555
General operating expenses	477,584
Informational and Educational Services	387,625
Documents	717,625
TOTAL	\$2,365,955

Technical Divisions:

Agriculture	\$ 759,250
Economics	760,125
Fisheries	299,875
Forestry	348,350
Nutrition	264,250
TOTAL	\$2,431,850
Regional Offices:	
Asia and the Far East	89,764
Latin America	80,500
Near East	49,000
North America	140,000
TOTAL	\$ 359,264
Prior Financial Year's Expenditure	10
Reserves and Contingencies	92,921
GRAND TOTAL	\$5,250,000

The expenses of the Organization are met by contributions from Member States in proportions determined by the Conference. The scale of contributions for 1953, as approved by the 1951 Conference, is as follows (in U.S. dollars):

Members	Percentage	Amount
Afghanistan	0.16	\$ 8,288
Argentina	1.83	94,794
Australia	2.00	103,600
Austria	0.38	19,684
Belgium	1.78	92,204
Bolivia	0.06	3,108
Brazil	1.52	78,736
Burma	0.16	8,288
Cambodia	0.05	2,590
Canada	4.76	246,568
Ceylon	0.13	6,734
Chile	0.31	16,058
Colombia	0.40	20,720
Costa Rica	0.05	2,590
Cuba	0.46	23,828
Denmark	1.08	55,944
Dominican Republic	0.05	2,590
Ecuador	0.05	2,590
Egypt	0.55	28,490
El Salvador	0.05	2,590
Ethiopia	0.15	7,770
Finland	0.43	22,274
France	6.70	347,060
Germany, Fed. Rep. of	4.73	245,014
Greece	0.27	13,986
Guatemala	0.08	4,144
Haiti	0.05	2,590
Honduras	0.05	2,590
Iceland	0.05	2,590
India	5.18	268,324
Indonesia	0.52	26,936
Iraq	0.12	6,216
Ireland	0.40	20,720
Israel	0.13	6,734
Italy	3.19	165,242
Japan	2.25	116,550
Jordan	0.05	2,590
Korea, Rep. of	0.09	4,662

Members	Percentage	Amount	Members	Percentage	Amount
Laos	0.05	\$ 2,590	Saudi Arabia	0.06	\$ 3,108
Lebanon	0.05	2,590	Spain	1.37	70,966
Liberia	0.05	2,590	Sweden	2.11	109,298
Luxembourg	0.06	3,108	Switzerland	1.56	80,808
Mexico	0.81	41,958	Syria	0.10	5,180
Nepal	0.10	5,180	Thailand	0.17	8,806
Netherlands	1.70	88,060	Turkey	0.66	34,188
New Zealand	0.65	33,670	Union of South Africa	0.95	49,210
Nicaragua	0.05	2,590	United Kingdom	15.03	778,554
Norway	0.66	34,188	United States	30.00	1,554,000
Pakistan	0.98	50,764	Uruguay	0.25	12,950
Panama	0.05	2,590	Venezuela	0.45	23,310
Paraguay	0.05	2,590	Vietnam	0.23	11,914
Peru			Yugoslavia	0.66	34,188
Philippines	0.22	11,396			
Portugal	0.65	33,670	Total	100.00	\$5,180,000

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS (As of December 1952)

A. MEMBERS OF FAO

Afghanistan	Germany, Fed.	Nicaragua
Argentina	Rep. of	Norway
Australia	Greece	Pakistan
Austria	Guatemala	Panama
Belgium	Haiti	Paraguay
Bolivia	Honduras	Peru
Brazil	Iceland	Philippines
Burma	India	Portugal
Cambodia	Indonesia	Saudi Arabia
Canada	Iraq	Spain
Ceylon	Ireland	Sweden
Chile	Israel	Switzerland
Colombia	Italy	Syria
Costa Rica	Japan	Thailand
Cuba	Jordan	Turkey
Denmark	Korea, Rep. of	Union of South
Dominican	Laos	Africa
Republic	Lebanon	United Kingdom
Ecuador	Liberia	United States
Egypt	Luxembourg	Uruguay
El Salvador	Mexico	Venezuela
Ethiopia	Nepal	Vietnam
Finland	Netherlands	Yugoslavia
France	New Zealand	

B. MEMBERS OF THE COUNCIL OF FAO

Australia	Egypt	Union of South
Belgium	Finland	Africa
Brazil	France	United Kingdom
Burma	India	United States
Canada	Italy	Venezuela
Chile	Pakistan	Yugoslavia
Cuba		

Independent Chairman: Josue de Castro

C. OFFICERS OF THE STAFF

1. OFFICE OF THE DIRECTOR-GENERAL

Director-General of FAO:

Norris E. Dodd (United States)

Deputy Director-General:

Sir Herbert Broadley (United Kingdom)

Secretary-General:

Marc Veillet-Lavallée (France)

Special Assistant 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)

Peru did not ratify the FAO Constitution until 17 June 1952. Therefore no contribution had been fixed for 1952 or 1953, but the 1951 FAO Conference had provided for a membership contribution of \$12,075 for each year in case Peru ratified the Constitution during 1952 or 1953. The amount is equivalent to what would have been assessed in the scale of contributions.

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

Latin American Statistical Office:

Apartado 2933

San Jose, Costa Rica

Regional Office for North America:

1325 C Street SW

Washington 25, D.C.

FAO 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.

FAO New York Information Liaison Office:

Room 372—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 twenty signatories of its Constitution had been deposited with the Government of the United Kingdom.

The first session of the Central 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

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.

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, it is provided, 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 this purpose, 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 field was added: that of technical assistance for economic development.

Special methods were devised to deal with certain situations—for example, the "Coupon Scheme" which enables institutions and individuals in soft currency countries to obtain books, scientific equipment and educational film materials from hard currency countries.

As a means of ensuring the dissemination of scientific information, science co-operation offices were set up in Uruguay, Egypt, Turkey, India, Indonesia and the Philippines.

To enable scientists, educators and men of letters to meet and exchange views, subventions were granted to the main international educational, scientific and cultural associations.

Some examples of UNESCO's work during the first five years of its existence follow.

Seminars on such subjects as education for international understanding, teaching about the United Nations, illiteracy in the Americas, public libraries and adult education, the teaching of geography and improvements of school text books, were held in France, the United States, Brazil, Sweden, Canada and Belgium. In the Marbial Valley (Haiti), a pilot project in fundamental education was begun early in 1948. Educational missions were sent to the Philippines, Thailand, Afghanistan and Bolivia. International conferences were called on adult education (Denmark, 1949), vagrant children (France, 1949), the establishment of an international federation of children's communities (Switzerland, 1948) and the creation of an international universities' bureau (Nether-

lands, 1948). A long-term programme for the improvement of text-books and teaching materials was begun in 1947, and a model plan was sent to Member States in 1948 to assist them to make a critical analysis of such material.

To further international co-operation in the natural sciences, UNESCO made grants totalling \$1,027,592 up to 31 December 1951 to international scientific and technological organizations. UNESCO took steps to establish new international non-governmental organizations: the International Union for the Protection of Nature, the Council for the Co-ordination of International Congresses of Medical Sciences (together with WHO) and the Union of International Engineering Organizations.

In the social sciences, international relations were fostered by the creation of the International Political Science Association, the International Sociological Association and the International Economic Association, non-governmental organizations in whose formation UNESCO assisted. The social tensions programme resulted in the publication of *Tensions Affecting International Understanding*. A major publication completed in 1950 was *Contemporary Political Science*, a survey of methods, research and teaching in 23 countries and areas.

Three new international organizations in the cultural field were established with UNESCO assistance: the International Theatre Institute, the International Music Council and the International Council for Philosophy and Humanistic Studies. In 1948 work was started on the framing of a Universal Copyright Convention to unify the international legal systems now in force. At the request of the United Nations Economic and Social Council, a project was begun in 1947 on the translations of classics. Significant publications included two catalogues of colour reproductions: the first of paintings from 1860 to the present day, the second of paintings prior to 1860. In 1950, an international commission was constituted to take charge of the preparation of a *Scientific and Cultural History of Mankind*.

Surveys of technical facilities in press, radio and film in war-devastated and certain underdeveloped countries were begun in 1947. They were terminated by the end of 1951, by which time 157 countries and territories had been surveyed. In 1948, an agreement to facilitate the international circulation of visual and auditory materials was opened for signature at the United

⁴ For a fuller statement of the purposes and functions of UNESCO, see Y.U.N., 1951, pp. 883-84.

Nations Headquarters. The agreement provides for the abolition, under prescribed conditions, of customs duties, quotas and import licences on educational films and other audio-visual materials. In 1950, a second agreement for the importation of educational, scientific and cultural materials was approved by the General Conference and opened for signature at the United Nations Headquarters.

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 policies and the main lines of work of the Organization, and it may summon international conferences on education, the sciences and humanities and the dissemination of knowledge.

Each Member is entitled to one vote in the Conference. Decisions of the Conference are made by a majority of the Members present and voting, except in cases in which the Constitution requires a two-thirds majority. The adoption by the Conference of international conventions, or of amendments to the Constitution, for example, requires 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, to become Members, require, in addition, a favourable recommendation of the Executive Board and a two-thirds majority vote of the General Conference, and their applications are subject to the approval of the United Nations.

The Executive Board consists of twenty members elected for four-year terms by the General Conference from among the delegates appointed by Member States. The General Conference elects the members of the Board, endeavouring to select persons competent in the arts, humanities, sciences and education. The Board, which meets at least twice each year, is responsible for the execution of the programme adopted by the Conference and exercises any powers delegated to it by the Conference.

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 act in an advisory capacity to their respective delegations to the General Conference and serve as liaison groups between UNESCO and the educational, scientific and cultural life of their own countries.

3. Activities during 1952

During the year, the number of Member States rose to 65 with the admission of Nicaragua. The Seventh General Conference, held in Paris from 12 November to 11 December, voted to admit Spain, Nepal and Libya, but by the end of the year they had not yet deposited their instruments of acceptance of UNESCO's Constitution.

a. INTERNATIONAL COLLABORATION BETWEEN SPECIALISTS

During the year UNESCO continued its policy of promoting co-operation among specialists, both through the grant of financial aid to facilitate the work of international non-governmental organizations and through the direct action of its science co-operation offices.

For example, aid was given to the International Bureau of Education, an intergovernmental organization, in connexion with the holding of the fifteenth International Conference on Public Education in Geneva in July. The Conference was chiefly concerned with the access of women to education and science teaching in secondary schools. Aid was also given to various non-governmental organizations in the education field, including the International Association of Universities and the International Association of University Professors and Lecturers, which were thereby enabled to continue their studies on the equivalence of diplomas or university degrees. The establishment at Copenhagen on 1 August 1952 of a World Confederation of the Teaching Profession, to which the International Federation of Teachers' Associations, the International Federation of Secondary School Teachers and the World Organization of the Teaching Profession, with a total membership of 2 million, announced their intention of affiliating themselves, was expected to assist UNESCO's work of co-ordination. In 1952 the World Braille Council was constituted; it is to continue and extend the task—pursued by UNESCO since 1949—of unifying Braille notation.

UNESCO also continued its assistance to the International Council of Scientific Unions, an organization with ten member Unions (as compared with seven in 1946). As a result of subventions from UNESCO distributed by the ICSU to its member Unions in October 1951, international meetings were held of scientists specializing in physics, mechanics, astronomy, chemistry, sciences of the earth and biology. Assistance was also given to the Council for International Organizations of Medical Sciences, the Union of International Engineering Organizations and the International Union for the Protection of Nature.

In the field of social sciences, UNESCO continued to assist the International Sociological and Political Science Association in Zurich, the International Economic Association in Monaco, and the International Committee of Comparative Law in Paris, all three of which had previously been established under its auspices. It also secured the co-operation of these organizations in carrying out its own programme, for example in collecting information and preparing reports on the teaching of the subjects within the respective fields of the organizations in various countries. At the end of the year, UNESCO was in process of forming a provisional International Social Science Council similar to those which exist for the natural sciences and cultural activities. UNESCO also assisted the International Statistical Institute to continue the work of the International Statistical Education Centre, set up under UNESCO's auspices in Calcutta in 1950.

Aid was likewise continued to the International Council for Philosophy and Humanistic Studies, set up under the auspices of UNESCO in 1949. By 1952 the membership of the Council had grown to twelve international associations and was expanding. The International Theatre Institute and the International Music Council were also expanding their membership and activities. International Theatre Weeks were, as in previous years, organized by the national centres of the ITI; in the United States during March 700 professional and amateur groups in 46 States of the Union participated.

In the sphere of the visual arts, one of the aims of the conference on the condition of artists, held in Venice in September, was to study the possibility of setting up a broadly representative organization, which would complete the network of international intellectual co-operation in cultural activities.

In 1947 and 1948 UNESCO set up science co-operation offices in the Middle East, South Asia, the Far East and Latin America, as part of its

programme to promote international scientific co-operation. Though originally confined to the natural sciences, the action of these offices was subsequently extended in the Middle East and South Asia to the field of the social sciences.

b. STANDARDIZATION, COLLECTION AND DISSEMINATION OF SPECIALIZED DOCUMENTATION

In this field, UNESCO: (1) assists the national and international standardization, collection and dissemination of specialized documentation; and (2) assembles and distributes selected information on specialized documentation. Its most important indirect activity in this field is to promote the publication of bibliographies and abstracts.

In the natural sciences, following a Conference on Science Abstracting held in 1949, national and international committees were set up in each of the main branches of science to establish and develop organizations which would draw up bibliographies and abstracts. Certain publications are issued under special contract; for example, the first volume of the Index Bibliographicus, which was issued in 1952, was prepared by the International Federation for Documentation. In the social sciences, some of this work was entrusted to the Committee for the Co-ordination of Social Science Documentation, established in 1951, with which the international associations set up under UNESCO's auspices maintain close co-operation.

The provisional International Consultative Committee on Bibliography, set up in 1950, met in April 1952 to consider the task of bringing uniformity into bibliographical methods. The UNESCO secretariat continued certain bibliographical work and its publications during the year included the International Repertory of Social Science Documentation Centres and two quarterly periodicals: International Political Science Abstracts and Current Sociology, the latter being issued for the first time in 1952.

The third issue of the Index Translationum was also published during the year; it covers approximately 13,500 translations published in 34 countries in 1950. UNESCO continued its co-operation with the Committee on Terminology of the International Organization of Terminology in order to improve the quality of translations and, at the end of the year, a multilingual glossary of machine tools was in course of preparation as an experiment undertaken at the request of the Economic Commission for Europe.

Among the publications issued during 1952 by the documentation and information services

of UNESCO were the following: World Handbook of Education Organizations and Statistics, which provides information on 57 countries, the quarterly fundamental and Adult Education Bulletin and the monthly Education Abstracts; Volume IV of Study Abroad, an international repertory of fellowships, scholarships and exchanges containing information from 90 States and territories concerning 39,000 awards as well as specialized supplements, Vacation Study Supplement, Workers Abroad, Teaching Abroad and Travel Abroad; the fifth volume of Press, Film, Radio, completing the results of the survey conducted in 157 States and territories of technical needs and media of mass communications as well as a catalogue of Films and Filmstrips about the Work of the United Nations and its Specialized Agencies, a catalogue of Films on Art and a study entitled The Entertainment Film for Juvenile Audiences. A programme for similar work in the field of television for 1953-54 was drawn up on the basis of the recommendations of a committee of experts meeting in April 1952.

c. FUNDAMENTAL EDUCATION

Considerable progress was made during the year in "fundamental education", a term used by UNESCO to explain its approach to mass education, whereby reading becomes primarily a tool by which people can learn to improve their health, their crops, and their standard of living.

The first fundamental education centre, inaugurated at Patzcuaro, Mexico, on 9 May 1951,⁵ developed rapidly and the first class of 50 students from nine Latin American countries graduated in December. By the spring of 1953 it was expected that twenty countries would be represented among the students. New educational materials, available to any government wishing to use them, included a simple new printing process which can be operated by a teacher and which reduces the cost of printing to little more than that of paper and ink.

Plans were completed for a second regional centre to open early in 1953 at Sirs-el-Layan (Egypt) for the Arab countries. Various projects for the establishment of national centres, particularly in Thailand and the Philippines, were also being considered at the end of the year.

An information network was established during 1951 for the exchange of experience of ideas on techniques in fundamental education among 46 national fundamental education projects in seventeen States and territories. In 1952 UNESCO began to give positive assistance to these projects, both by the dispatch of expert missions of varying

duration and type and by the provision of material, free of charge, mainly through the UNESCO Gift Coupon Scheme. More than 150 projects in twenty countries have asked to be included in this scheme.

Research into the use of vernacular languages in fundamental education was undertaken in 1951 at the request of the United Nations Committee on Information from Non-Self-Governing Territories. A committee of experts met in November 1952 at Jos (Nigeria) to consider the special problem of the use of vernacular languages in conjunction with English in the African countries where English is a recognized subsidiary language.

UNESCO also carried out experiments in Egypt, India and the Belgian Congo on the use of visual aids. Following a mission to Turkey in 1951, a national centre for educational films was established there. A survey was made of the Canadian Farm Forum (radio) project, covering a wide range of subjects including hygiene, domestic science, agriculture and civics as a guide to developing educational radio. A book entitled Visual Aids in Fundamental Education, published during the year, assesses the results of a number of typical experiments carried out in this field in various countries.

In addition to assistance under the Expanded Programme of technical assistance, UNESCO continued to offer its Member States the services of expert missions as part of its ordinary programme. Under these combined programmes, from 1 January 1951 to 1 August 1952, 54 experts sent by UNESCO were working in 22 countries to help them in developing fundamental education. These countries were: Africa: Liberia, Libya, Somaliland; America: Bolivia, Colombia, Ecuador, Jamaica, Haiti, Peru, Venezuela; Asia: Burma, Cambodia, Ceylon, China, Indonesia, Pakistan, the Philippines, Thailand; Middle East: Afghanistan, Iraq, Syria, Turkey. In addition to the services of these experts, 42 fellowships were awarded.

d. THE EXTENSION OF EDUCATION

During 1952 experts sent by UNESCO were assisting in the expansion of primary and secondary education, including technical and vocational training in the following 22 countries: Africa: Liberia, Libya; Latin America: Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Panama, Peru; Asia: Burma, Cambodia, Indonesia, Laos, Pakistan, the Philippines, Thailand; Middle East: Afghanistan, Iran, Iraq, Lebanon, Syria. Between 1 January 1951 and 1 August 1952 these

⁵ See Y.U.N., 1951, p.

missions involved the dispatch of 103 experts, the award of 81 fellowships and the supply of material worth \$74,434.

The General Conference of UNESCO, at its sixth session in 1951, decided that a series of regional conferences should be held to determine the best ways of implementing the recommendations for the development of compulsory free primary education made by the Fourteenth International Conference on Public Education, held jointly with the International Bureau of Education in July 1951. The first of these regional conferences was held in Bombay in December for South and Southeast Asia and the Pacific area. In preparation for the conference, UNESCO arranged for the preparation of a series of studies dealing with individual countries in the area.

In the field of adult education, a number of experiments were carried out during the year in connexion with workers' education. These included the experimental organization of an International Centre of Workers' Education, which was opened in June at La Brévière, near Compiègne, and lasted for three months. During the first six weeks, three seminars, of a fortnight each, were organized in turn by the International Federation of Free Trade Unions, the International Federation of Workers' Educational Associations and the International Co-operative Alliance, for the training of their own staff. Altogether, 200 persons took part in these seminars. During the second six-week period, a seminar was organized by UNESCO, which was attended by more than 100 specialists in workers' education from 26 countries.

In co-operation with the Government of the Dominican Republic, UNESCO organized a regional seminar on adult education, held at Ciudad Trujillo in October 1952 for the countries of Latin America. The UNESCO secretariat also helped to prepare a seminar on workers' education organized by the Jamaican authorities for countries in the Caribbean region, held at Kingston in September. Two national seminars were also held during the year to follow up the work of the international seminar organized by UNESCO in 1950 at Mondsee (Austria). The first was held in April at Marly-le-Roi, near Paris, on the initiative of the French National Commission for UNESCO, and the second, which met at Salzburg (Austria), was convened by the Austrian Association of People's Universities in co-operation with similar organizations in Germany, Italy and Switzerland. The object of the latter was to consider means of promoting international understanding through art and political education.

It was clear from the first statistics, covering 120 countries and territories, which the UNESCO secretariat communicated to the United Nations Commission on the Status of Women in March 1952, that the education of women lagged seriously behind that of men.

In agreement with the International Bureau of Education, UNESCO included the question in the agenda of the Fifteenth Conference on Public Education, held in Geneva in July 1952. Delegates from 51 States attended the Conference, which used documentation prepared on the basis of information supplied by 47 countries. This documentation was to be embodied in a publication entitled: *The Access of Women to Education*.

UNESCO's educational assistance for Palestine and Middle East refugees was developed in 1952 in accordance with the agreement between the Organization and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE). During the school year 1951-52, the budget provided for this programme was \$689,000, of which \$88,000 was provided by UNESCO. In the same year, the number of UNRWAPRNE-UNESCO schools rose from 105 to 118, and the number of pupils from 42,991 to 50,958. Vocational training courses were also organized, and 40,000 adults learned to read and write.

An expert, seconded by UNESCO to the United Nations Korean Reconstruction Agency at Pusan, drew up a preliminary list of the education needs of Korea. In June 1952 the Director of the Agency asked UNESCO to appoint five education specialists to join experts from other specialized agencies in drawing up a five-year plan for economic and social reconstruction in Korea.

e. HIGHER EDUCATION AND SCIENTIFIC RESEARCH

In higher education, a scheme for UNESCO University Courses was launched in 1952 as an experiment. The project is to provide technical assistance for universities in process of expanding by offering them the aid of a party of foreign professors so chosen as to constitute a unit on one well-defined subject. One party of specialists in the social sciences was organized at the University of Dacca (Pakistan) and another in chemistry at the University of Caracas (Venezuela).

An inquiry into the teaching of the social sciences was carried out in eight typical countries, Egypt, France, India, Mexico, Sweden, the United Kingdom, the United States and Yugoslavia, by

the International Sociological, Political Science and Economic Associations, and by the International Committee of Comparative Law. A committee of experts was held in September to assess the results of the survey, in co-operation with the secretariat.

The survey of research institutes was continued with the assistance of international specialist organizations. Here, UNESCO aims at: (1) co-ordinating the research programmes of existing national institutes to form an international network; and (2) promoting the establishment of international or regional research institutes, to be financed by the appropriate Member States.

Among the research programmes co-ordinated and assisted by UNESCO is the work relating to the arid zone. It is carried out under the authority of a permanent advisory committee of experts, with the assistance of panels of honorary consultants appointed by National Commissions for each special branch. Each year the Committee, which consists of scientists from Australia, Egypt, France, India, Israel, Mexico, Peru, the United Kingdom and the United States, proposes to the national institutes certain subjects for research. The two main subjects chosen for 1952 were hydrology, which had also been studied in 1951, and plant ecology. The ecological study concerned strains and species which could usefully be planted in desert areas to combat the encroachment of the desert. In co-operation with the Turkish Government, UNESCO organized a symposium in Ankara in April 1952 on arid zone hydrology, with particular reference to underground water. It also assisted financially the symposium organized in May by the Israel National Research Council at Jerusalem and Haifa.

Following preliminary studies undertaken by the UNESCO secretariat in 1951, with financial assistance from Belgium, France and Italy, a conference of twelve European Member States of UNESCO met in Paris in December 1951 and in February 1952 at Geneva to consider the establishment of the European Centre for Nuclear Research. At its February session, the conference adopted an agreement setting up a Council of State representatives, an independent body financed and administered by the participating States, to carry out scientific and technical studies preparatory to the establishment of a European Nuclear Research Laboratory. The agreement came into force on 5 May 1952 with its ratification by France, Germany, the Netherlands, Sweden and Yugoslavia, and shortly afterwards by Denmark and Switzerland.

The Council, which adopted the title of European Council for Nuclear Research, met in May at UNESCO headquarters and in June in Copenhagen. A work plan was adopted, to comprise certain theoretical studies and the preparation of a detailed project for the organization and equipment of a laboratory with a 600 million electron-volt synchrocyclotron and a more than 10 milliard electron-volt synchrotron. The headquarters of the Council are at Geneva, and its budget of \$100,000 is provided by voluntary contributions from member States.

f. PROTECTION OF WRITERS, ARTISTS AND SCIENTISTS, AND PRESERVATION OF THE CULTURAL HERITAGE OF MANKIND

Following five years' preliminary work, the UNESCO-sponsored Universal Copyright Convention was approved at an intergovernmental conference, held in Geneva from 18 August to 6 September at the invitation of the Swiss Government. At the conclusion of the conference, the Convention was signed by representatives from 35 countries, including the United States; it will come into force three months after ratification by twelve countries. The Convention was conceived mainly as a bridge between the copyright system in force in the States signatories of the Berne Convention of 1886, and its subsequent revisions, and that provided by the various inter-American conventions. It is aimed at ensuring that authors and other copyright proprietors of literary and artistic works, including writings, musical and dramatic works and films, painting and sculpture, shall enjoy in every country the same protection and treatment as are afforded to nationals of that country.

Another conference was convened by UNESCO in Venice in September to consider the situation of the artist in the present-day world and the conditions which hamper or encourage creative art. All the branches of art and literature were represented at the conference by experts chosen by Member States.

UNESCO's work for the preservation of the cultural heritage of mankind has two main aspects—technical and legal. In both cases, there is close co-operation with the appropriate international organizations. On the technical side, expert missions are placed at the disposal of Member States at their request, to advise and assist them in the preservation and restoration of their monuments and archaeological and historic sites. In 1952 such a mission went to Lebanon and Syria.

On the basis of an Italian proposal to the fifth session of the UNESCO General Conference in 1950—that an international convention should be drawn up for the protection of cultural property in the event of armed conflict—and of a study made by the International Committee on Monuments, Artistic and Historical Sites and Archaeological Excavations, a preliminary draft convention was submitted by the UNESCO secretariat to a committee of governmental experts in July 1952. The committee, to which seventeen States sent delegates and four observers, drew up a draft convention. The UNESCO secretariat also continued to study a project for the establishment of international repositories for the safekeeping of microfilm reproductions of works of art and cultural property of world-wide interest.

g. DISSEMINATION OF SCIENCE AND CULTURE

During 1952 there was an increased demand from Member States for UNESCO assistance in the introduction of teaching modern science in schools. UNESCO prepared a series of ten handbooks, for publication in 1953, for elementary school teachers. One of the subjects discussed at the Fifteenth International Conference on Education in July was the teaching of natural sciences in secondary schools, and various recommendations were submitted by the Conference to the Ministries of Education of the various countries. Preparatory to the Conference, UNESCO published nine reports relating to various sciences.

To enable the ordinary citizen to understand the scientific changes taking place, UNESCO has sent out three travelling exhibitions, all of which were touring Member States during the year. One, on physics and astronomy, opened in 1950, was touring Latin America; the second, on "Our senses and a knowledge of the world", which opened in 1951, was being shown in the Far East; and the third, on the "New Materials" which science has made available to man, was opened in Paris in May 1952, after which it was being sent to Yugoslavia and Southeast Europe as well as to the Middle East.

UNESCO was also taking steps to encourage the creation, and stimulate the activities of national associations of writers and journalists specializing in the popularization of science, of associations for the advancement of science, and of science clubs. It continued the publication of its quarterly review, *Impact*, begun in 1950, the chief purpose of which is to draw attention to the social repercussions of scientific progress.

UNESCO also continued its programme for the furtherance of education in the arts. Preparations

were being made by the International Music Council for a conference on musical education to be held in Brussels in 1953. In April the International Theatre Institute convened a meeting, which studied the situation and role of dramatic works written by adults for young people, and of creative dramatics by children and young people. A seminar, convened by UNESCO in Brooklyn, New York, in September 1952, assessed the first results of the Crusade for Museums campaign launched in 1949 by the International Council of Museums. The movement, which was started in France, spread rapidly to Belgium, the Netherlands, Sweden and Yugoslavia. The UNESCO seminar, which was attended by educators and museum officials from 26 countries, discussed ways in which museums could become an integral part of both fundamental and adult education.

The UNESCO secretariat has made available to Member States 44 travelling exhibitions of classical and modern painting, each of which consists of 50 colour reproductions. During 1951-52, they were shown in 33 countries in America, Asia, Africa, Europe and the Pacific region. For the 500th anniversary of the birth of Leonardo da Vinci, the secretariat prepared 45 exhibitions, each containing 150 reproductions of drawings.

A scientific documentation centre was opened in Mexico City in February 1952, under the Expanded Programme of technical assistance and in co-operation with the Mexican Government. Two model national documentation centres were being established in Rio de Janeiro and Montevideo, in collaboration with the Brazilian and Uruguayan Governments, respectively. During the year 220,000 books and periodicals were covered by the exchange of publications service provided by the Bulletin for Libraries, and 1,900 libraries were concerned.

h. FREE FLOW OF IDEAS

The Agreement on the importation of educational, scientific and cultural materials, adopted by the General Conference at its fifth session, entered into force on 21 May 1952, with the deposit of the tenth ratification. By the end of the year thirteen countries had ratified the Agreement, which eliminated customs duties on a wide range of educational, scientific and cultural materials.

The UNESCO Coupon Scheme, launched in 1948, was designed to overcome currency difficulties by enabling institutions and individuals in soft-currency countries to purchase in their national currency books and periodicals, educational films and scientific equipment, available generally in hard-currency countries. By the end of 1952, a

total of 31 States were participating in the scheme. Coupons to the value of almost \$3,000,000 had been issued since the scheme was launched. During 1952 the coupon scheme was extended to include the Gift Coupon Scheme which provides gifts of educational equipment from voluntary organizations to needy schools, primarily in the under-developed areas, in Member States. By the end of the year this plan was in full operation in eight donor countries: Australia, Canada, France, the Federal Republic of Germany, the Netherlands, the United Kingdom and the United States. Thus, books, film strips, maps and scientific equipment were made available to schools and institutions in 22 countries.

STUDIES OF SOCIAL PROBLEMS LIKELY TO CREATE NATIONAL AND INTERNATIONAL TENSIONS

UNESCO issued in 1952 the second of its general studies summing up the results of various inquiries undertaken since 1948 into this question. The study, entitled *Tensions that Cause Wars*, was written from the standpoint of psychology. The Organization's programme during the year was aimed at: (1) stressing the basic problems most likely to lead to conflicts between people and nations; (2) directing research to practical ends so as to afford States positive assistance; and (3) fitting UNESCO's activities into specific projects undertaken by the United Nations and the specialized agencies rather than engaging in separate projects. In particular, its attention was concentrated on: the social implications of industrialization and technological change; population and migration; and racial questions and methods of international co-operation. Studies were published on the findings of research conducted into *Education in a Technological Society* and *The Community Factor in Modern Technology*.

The campaign against racial prejudice, begun in 1950, was systematically pursued. In addition to the publications issued on this problem, UNESCO in 1952 conducted or encouraged specific field inquiries designed to focus attention on spontaneous factors or governmental measures in certain countries that contribute towards an improvement of relations between the different races and, more generally, towards the integration of various ethnic groups in the national community. The most important of these studies, begun in 1951, was being conducted in several states of Brazil with the active co-operation of the authorities and scientific institutions. Others were being conducted in Mexico under the auspices of the Instituto Indigenista, in the French

West Indies, Yugoslavia and Germany—in the last-mentioned country through the International Social Science Institute in Cologne.

j. EDUCATION FOR LIVING IN A WORLD COMMUNITY

During the year UNESCO continued its campaign in support of United Nations action for the promotion of human rights. In the intellectual sphere, for example, the International Council for Philosophy and Humanistic Studies at UNESCO's request engaged in a study of the concept of the rule of law as a fundamental factor in human co-operation in international affairs. A study was prepared by the UNESCO secretariat setting forth the different aspects of the problem involved in the interpretation and application of the article in the Universal Declaration of Human Rights concerning man's right "freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits".

The campaign to propagate the principles embodied in the Universal Declaration of Human Rights was also continued. The exhibition inaugurated in Paris during the fourth session of the General Conference continued to be displayed in the principal towns of France and Belgium and copies of the Human Rights Album were distributed to National Commissions and appropriate international organizations, which used it for organizing exhibitions in schools, museums and libraries. The National Commissions also co-operated in the celebration of Human Rights Day. A seminar was held in August at Woudschoten, near Utrecht (Netherlands), to discuss teaching about the United Nations and Human Rights. It had before it reports requested from various international teachers' organizations, as well as two draft pamphlets for teachers, one giving educational guidance and the other containing a collection of texts bearing on the history of Human Rights.

The project of a Scientific and Cultural History of Mankind, which was approved by the General Conference at its sixth session in 1951, got under way in 1952. The aim of the project, which is being financed by UNESCO, is "to demonstrate the interdependence of nations and cultures and their respective contributions to the common heritage of mankind." The International Commission, set up to prepare the history, settled the lines of its work for 1953 and 1954; it appointed editors of most of the volumes planned and commissioned from 30 specialists various studies to be published in its Journals before being used for the final

version of the work. In order that the project should be substantially international, the Commission secured the co-operation of 80 correspondents in 39 countries.

Following seminars organized by UNESCO in 1950 and 1951 on the teaching of history and geography, various countries, including Belgium, Denmark, France, the Federal Republic of Germany, the Netherlands, Norway, Sweden, the United Kingdom and the United States, joined in setting up bilateral or multilateral committees of historians and history teachers who are considering each other's textbooks so as to remove from them any distortions of truth prompted by prejudice. The experts who had previously attended UNESCO's seminars are playing a leading part in such committees as well as in study conferences organized in various countries to follow up the seminars.

UNESCO also continued its co-operation with youth movements. A seminar on Education for Living in a World Community, for leaders of youth movements in South and Southeast Asia, was held at Rangoon in October. The seminar was chiefly concerned with a study of youth activities in fundamental education: participation in the campaign against illiteracy, contribution to the development of rural hygiene, appropriate methods for bringing about a revival of local festivals and regional folklore and for stimulating interest in the arts in general. As for the international voluntary work camps movement, a conference attended by delegates and observers of 44 organizations took place in March, drew up plans for training courses for youth leaders and considered methods for increasing the educational value of work camps and ways in which camp techniques might be used in fundamental education. The 1952 campaign involved the opening of 950 work camps in 37 countries.

UNESCO organizes individual or collective travel and exchanges, on an experimental basis, for certain categories of persons; and it administers a number of grants for study abroad. In 1952 two experiments for the exchange of teachers were carried out, one between the Arab States and the other between six Member States of Latin America. Travel grants for workers were inaugurated in 1952. Through them, UNESCO enabled 760 persons from twelve countries to participate in group educational travel in countries other than their own. Representatives from the six international workers' organizations which co-operated with UNESCO in arranging these tours have reviewed the first year's operation and

strongly recommended its expansion in 1953 and 1954. In addition, 40 travel grants were made to enable students to participate in international youth meetings.

Three types of fellowships are administered by the UNESCO secretariat:

(1) Those financed from the Organization's budget, 65 for 1952. They are distributed in relation to the main projects in UNESCO's programme and six fellowships are set aside each year for candidates who are natives of Non-Self-Governing or Trust Territories;

(2) Those awarded by governments or international or national organizations but administered by UNESCO. They are sometimes for a particular purpose but are always in line with UNESCO's programme. A total of 30 of these were awarded in 1951 and 1952; and

(3) Those awarded under the Expanded Programme of technical assistance. These numbered 130 in 1952.

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 1953 is as follows (in U. S. dollars):

PART I. General Policy	\$ 76,878
PART II. General Administration	\$1,301,568
PART III.—Programme Operations and Services:	
Education	1,735,061
Natural Sciences	797,155
Social Sciences	540,642
Cultural Activities	886,677
Mass Communication	1,118,750
General Resolutions	127,384
Documents and Publications Service. . .	932,648
Total PART III	\$6,138,317
PART IV. Common Service Costs	715,539
Total PARTS I, II, III and IV	\$8,232,302
PART V. Reserve	785,547
TOTAL APPROPRIATION	\$9,017,849

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	Dominican Republic	0.06	Israel	0.18	Philippines	0.42
Argentina	1.55	Ecuador	0.04	Italy	2.36	Poland	1.69
Australia	1.88	Egypt	0.54	Japan	2.04	Saudi Arabia	0.08
Austria	0.27	El Salvador	0.06	Jordan	0.04	Spain	1.39 ⁶
Belgium	1.47	France	6.17	Korea	0.13	Sweden	1.77
Bolivia	0.06	Germany, Fed Rep. of	4.52	Laos	0.04	Switzerland	1.35
Brazil	1.55	Greece	0.20	Lebanon	0.06	Syria	0.09
Burma	0.14	Guatemala	0.06	Liberia	0.04	Thailand	0.19
Cambodia	0.04	Haiti	0.04	Luxembourg	0.06	Turkey	0.70
Canada	3.54	Honduras	0.04	Mexico	0.75	Union of South Africa	0.89
Ceylon	0.14	Hungary	0.51	Monaco	0.04	United Kingdom	11.04
China	6.03	India	3.70	Netherlands	1.34	United States	33.33
Colombia	0.38	Indonesia	0.64	New Zealand	0.51	Uruguay	0.19
Costa Rica	0.04	Iran	0.35	Nicaragua	0.04	Venezuela	0.38
Cuba	0.36	Iraq	0.13	Norway	0.54	Vietnam	0.18
Czechoslovakia	1.13			Pakistan	0.85	Yugoslavia	0.47
Denmark	0.84			Panama	0.06		
				Peru	0.19		
							100.00

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1952)

A. MEMBERS OF UNESCO⁷

Afghanistan	Germany,	Netherlands
Argentina	Fed. Rep. of	New Zealand
Australia	Greece	Nicaragua
Austria	Guatemala	Norway
Belgium	Haiti	Pakistan
Bolivia	Honduras	Panama
Brazil	Hungary ⁸	Peru
Burma	India	Philippines
Cambodia	Indonesia	Poland ⁸
Canada	Iran	Saudi Arabia
Ceylon	Iraq	Sweden
China	Israel	Switzerland
Colombia	Italy	Syria
Costa Rica	Japan	Thailand
Cuba	Jordan	Turkey
Czechoslovakia ⁸	Korea	Union of
Denmark	Laos	South Africa
Dominican Republic	Lebanon	United Kingdom
Ecuador	Liberia	United States
Egypt	Luxembourg	Uruguay
El Salvador	Mexico	Venezuela
France	Monaco	Vietnam
		Yugoslavia

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:

Frans Bender (Netherlands)

S. M. Sharif (Pakistan)

Members:

Rafael Bernal Jimenez (Colombia)

Antonio Castro Leal (Mexico)

Luther H. Evans (United States)

Ventura Garcia Calderon (Peru)

Toru Haguiwara (Japan)

Henri Laugier (France)

Pin Malakul (Thailand)

Mgr Jean Maroun (Lebanon)

Sir Arcot Laxmanswami Mudaliar (India)

Jakob Nielsen (Denmark)

Senator Geronima Pecson (Philippines)

Jean Piaget (Switzerland)

G. A. Raadi (Iran)

Vladislav Ribnikar (Yugoslavia)

Oscar Secco Ellauri (Uruguay)

Vittorino Veronese (Italy)

Constantine K. Zurayk (Syria)

C. PRINCIPAL OFFICERS OF THE SECRETARIAT

Acting Director-General:⁹

John W. Taylor (United States)

D. HEADQUARTERS AND OTHER OFFICES

1. HEADQUARTERS

Address: UNESCO HOUSE
19 Avenue Kléber
Paris 16e, France

Cable Address: UNESCO PARIS

⁶ Of the three new Member States admitted by the seventh session of the General Conference, Spain has been included in the scale of contributions, having ratified the Constitution on 30 January 1953. Libya and Nepal will be assessed, when they ratify a proportionate part of their annual contributions.

⁷ Spain, Nepal and Libya were admitted to membership by the General Conference at its seventh session, but had not by the end of the year deposited their instrument of acceptance of UNESCO's Constitution.

⁸ These three Governments have notified UNESCO they no longer consider themselves Members.

⁹ The Director-General, Jaime Torres Bodet, resigned, effective 1 December 1952.

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 en el
Hemisferio Occidental
Calle 5a No. 306
entre C y D Vedado
Habana, Cuba

4. SCIENCE CO-OPERATION OFFICES

Centre de Cooperation Scientifique de l'UNESCO
1320, Bulevar Artigas
Montevideo, Uruguay

UNESCO Science Co-operation Office
8 Sh. El Salamik
Garden City
Cairo, Egypt

Centre de Cooperation 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. 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, practices and procedures, designed to

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, 1952; 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.

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 1951, 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 1951 was the adoption by the Assembly of a Convention on the International Recognition of Rights in Aircraft, opened for signature on 19 June 1948.

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 Assembly.

2. Organization

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 determines its own rules of procedure and is responsible for the finan-

cial 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, at its discretion, refer to the Council specific matters for the consideration of the latter body. Finally, the Assembly 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 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

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".

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 Air Navigation Commission assigns its technical work to the following divisions: Aerodromes, Air Routes and Ground Aids; Accident Investigation; Aeronautical Information Services; Airworthiness; Aeronautical Telecommunications; Aeronautical Maps and Charts; Meteorology; Operating Practices; Personnel Licensing; Rules of the Air and Air Traffic Control; and Search and Rescue. The Air Transport Committee is assisted by the Facilitation of International Air Transport Division and the Statistics Division. Two additional committees, the Committee on Joint Support of Air Navigation Services and the Finance Committee, are composed of representatives elected by the Council from its own members.

The Council elects its President and appoints the Secretary-General of ICAO. The President of the Council convenes and presides at meetings of the Council and acts as its permanent representative. The Secretary-General is the chief executive officer of the Organization. He is responsible to the Council for carrying out duties assigned to him by that body.

ICAO maintains five offices in the field to deal with the regional aspects of international civil aviation, particularly with air navigation problems: the North American Office, in Montreal; the European and African Office, in Paris; the South American Office, in Lima; the Middle East Office, in Cairo; and the Far East and Pacific Office, in Melbourne.

3. Activities during 1952

By 31 December 1952, the membership of the Organization had increased to 58 with the addition of the Republic of Korea.

At the end of April, India submitted to the Council, as a disagreement between itself and Pakistan relating to the interpretation and application of Articles 5, 6 and 9 of the Convention and the International Air Services Transit Agreement, a complaint concerning the refusal of Pakistan to permit Indian aircraft engaged in commercial air services between India and Afghanistan to fly over West Pakistan territory without landing or to land there for non-traffic purposes, on the ground that flights over an area which Pakistan had declared to be a prohibited area would be involved. In its communication India requested the Council to declare that its aircraft were entitled to operate scheduled air services between India and Afghanistan across West Punjab by the shortest practicable air route and to recommend to Pakistan not to impede in any manner the operation of scheduled international air services by Indian aircraft between Delhi and Kabul over the Delhi-Peshawar-Kabul route, on the route between Bombay and Ahmedabad and Kabul via Karachi-Zahidan and Kandahar, and by any other commercially feasible route. A copy of the Indian communication was immediately airmailed to Karachi for comments, which were received in May. This was the first dispute to be submitted by Contracting States to the ICAO Council.

In June the Council appointed a working group to consider what steps could properly be taken in the matter. The group consulted with the High Commissioners for India and Pakistan in Canada and both Governments were urged to enter into further direct negotiations as soon as possible, with a view to removing or at least limiting the outstanding issues. At the same time Afghanistan, which had cabled ICAO on 18 June supporting the Indian complaint, was informed of what had been done, the Council expressing the opinion that the action it had taken and intended to take on the Indian communication would dispose also of the questions raised by Afghanistan—an opinion in which Afghanistan subsequently concurred.

Further information was supplied by both countries and another working group of the Council met with the High Commissioners on 19 November. This working group concluded that the possibility of direct negotiation had not been exhausted and recommended that the two Governments be requested to continue their discussions

and report to the Council no later than 15 January 1953.⁶

a. TECHNICAL ASSISTANCE

During the first year of ICAO participation in the Expanded Programme of technical assistance for economic development, expenditure amounted to some \$300,000; expenditure on the programme in 1952 was \$941,542. In May 1952 the ICAO Council approved projects involving expenditures of \$1,447,000 for 1953. In December 1952, however, the Technical Assistance Board reduced the amount to be made available to ICAO to \$1,054,000, or 4.4 per cent of the amount expected to be pledged at the Technical Assistance Conference scheduled to meet in February 1953.

In the course of 1952, requests for assistance were received from 22 countries,⁷ five of which—Chile, China (Taiwan), Costa Rica, India and Liberia—had not previously been applicants. Action on fourteen requests approved in 1951 continued into 1952, being completed on five of them during the year. Technical assistance agreements, supplementary agreements and annexes to existing agreements were signed with the Governments of twelve States⁸ and letters providing for the grant of fellowships were exchanged with an equal number. At the beginning of the year nineteen experts were in the field; at the end of it 68 were either on missions or had completed them, and five were about to leave for their duty stations.

Up to the end of 1952 ICAO had placed primary emphasis on the development of the ground services required by civil aviation, particularly air traffic control, communications and meteorological services. These services are essential to the safe operation of air transport; but in many areas air transport requires more direct promotion in order to make the fullest possible contribution to economic development, and a considerable proportion of ICAO's assistance has recently been directed to this end. For example, fellowships were granted for commercial pilot training; experts were sent to check out pilots employed by the airlines of certain under-developed countries and to give them guidance in improving their techniques where necessary; local personnel were being instructed in the repair and maintenance of aircraft engines, airframes and airborne equipment; and the problem of ensuring continuing review of pilot qualifications and inspection of aircraft overhauls was receiving increasing attention.

The technical assistance extended by ICAO has taken two main forms—expert advice and training.

Expert advice has been provided on practically every aspect of civil aviation except the manufacture of aircraft—the organization of government departments of civil aviation and the preparation of air laws and regulations; the conduct of an air transport survey; the establishment of statistical and accounting systems; airline organization and operation; the siting, construction and improvement of airports; and the organization and operation of air navigation facilities and services.

Assistance in training has been given in two ways—by providing experts to give basic training, followed by on-the-job training and supervision, in countries where civil aviation is in a comparatively early stage of development and the number of local personnel to be trained is large, and by granting fellowships in cases where personnel require advanced study or training to qualify them for supervisory duties or to enable them to act as instructors after they return to their homes, or where training facilities are not available locally.

Basic and on-the-job training has been mainly in air navigation services, although, as already indicated, it has been given in aero-engine and airframe maintenance and repair and in the perfection of commercial pilot techniques. Because of its cost, *ab initio* pilot training has not been included in the Organization's activities, but ground instruction was given in the case of Indonesia, which provided its own aircraft and pilot instructors. Supplies and equipment are provided as part of a training project. In 1952 approximately \$110,000 was spent on tools, demonstration material, synthetic communications, air traffic control training devices, meteorological instruments, electrical test equipment and a variety of miscellaneous material which could not be supplied by the local governments. Among the most important and useful items in the latter category were training films.

In 1952, a total of 36 fellowships for study abroad were granted and 23 of the recipients began their training. Twenty more fellowship holders continued training begun in 1951. The largest number of fellowships were given in radio communications and in aeronautical meteorology.

⁶ These further negotiations resulted in amicable settlement of the dispute and this settlement was announced to the Council of ICAO in January 1953.

⁷ Burma, Chile, China (Taiwan), Costa Rica, Cuba, El Salvador, Finland, Greece, Iceland, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Pakistan, the Philippines, Thailand, Turkey and Yugoslavia.

⁸ Afghanistan, Egypt, Iceland, India, Indonesia, Iraq, Israel, Lebanon, Mexico, Thailand, Turkey and Yugoslavia.

b. AIR NAVIGATION QUESTIONS

In the technical field major emphasis was placed in 1952 on the further development of the International Standards and Recommended Practices and the Procedures for Air Navigation Services; and on the implementation of approved regional plans for Air Navigation facilities and services. Of the fourteen International Standards and Recommended Practices (Annexes to the Convention on International Civil Aviation) approved by the Council, one-half were amended during 1952 to keep them up to date with the development of aviation. For example, amendments to Annex 6 (Operation of Aircraft) related to the emergency and survival equipment to be carried on board aeroplanes and to aeroplane navigation lights; the new requirements also have the effect, in most cases, of increasing the minimum fuel and oil reserve for long distance flights. Amendments to Annex 8 (Airworthiness of Aircraft) introduced new provisions on turbine installation, the testing and installation of auxilliary power units and water loads for sea planes. Amendments to Annex 10 (Aeronautical Telecommunications) made important detailed changes in the existing standards and introduced specifications dealing with equipment not previously covered; the Annex now includes specifications relative to all of the principal telecommunications facilities with the exception of long-range aids and certain types of radar equipment.

The new edition of the ICAO Procedures for Air Navigation Services—Rules of the Air and Air Traffic Services—came into force on 1 September 1952.

In 1952, as in 1951, the implementation of approved regional plans received high priority in the Organization's work programme. The second review of implementation in each of the ICAO air navigation regions (reduced in 1952 from ten to eight by consolidating the North and South Pacific regions in a single "Pacific" region and the South Atlantic and South American regions into another single region) was completed by the Air Navigation Commission shortly after the sixth session of the ICAO Assembly, held from 27 May to 12 June 1952. In the first two reviews the Commission directed its efforts toward isolating the most serious deficiencies which it thought warranted the special attention of the Council. The Commission's reports on serious deficiencies were complemented by reports from the Secretary-General on the progress made in eliminating these deficiencies; these reports indicated that the programme was effective and was achieving the purpose for which it was instituted.

The programme of technical meetings was lighter than in 1951, comprising three sessions of the Air Navigation Commission lasting a total of 26 weeks, three Divisional meetings, one full-scale regional air navigation meeting and three special meetings of limited scope. The third European-Mediterranean Regional Air Navigation Meeting, held in Paris from 26 February to 24 March, decided that the uniform altimeter setting procedures already in use in several ICAO regions should be adopted in the region on 1 May 1953. Recognizing the need for aviation to take the initiative in pressing for the removal of other services from radio frequency bands allotted for aeronautical use by the International Telecommunication Union (ITU), the Meeting prepared a provisional plan for the progressive occupation by aeronautical services of a number of channels in the new bands, which it hoped could be accepted by the governments concerned and implemented by mid-1953.

The communications work of the Meeting was supplemented by a special meeting held in Paris in November to co-ordinate implementation of the regional communications plans, particularly in respect of the high frequency mobile services and medium frequency navigational aids. This meeting agreed on detailed plans for VHF (very high frequency) communication facilities, for the transition from currently used HF (high frequency) Aeronautical Mobile frequencies to new frequencies that accord with ITU agreements, and for medium and low frequency radio navigation aids. The plans, in general, called for implementation to be completed at specified dates during 1953. The plan for transition from HF radio frequencies in current use called for precisely co-ordinated action by States and aircraft operators in four separate steps commencing 1 June and finishing 1 November 1953.

To solve the problem of the increasing congestion of the airspace, the plan for a comprehensive network of airways, developed by the Special Meeting on Co-ordination of Air Traffic in Western Europe in October 1951 and by subsequent conferences among Western European governments, was adopted by the Third European-Mediterranean Meeting with minor changes, and recommendations were made for the installation of additional VHF omni-directional ranges and other radio aids necessary for accurate navigation and adequate air traffic control on the airways. To work out the details of the airways plan and co-ordinate their implementation, the Meeting recommended the convening of a special Rules of the Air and Air Traffic Control Meeting for the

region not later than 1 July 1952. This meeting was held in July and, in addition to achieving its primary purpose, developed additional procedures for the activation and operation of air traffic services and made some adjustments to the plan of radio aids serving the airways.

Because of the political situation in the Eastern Mediterranean, and the consequent absence of direct communication between some points, the Third European-Mediterranean Meeting was unable to find a completely satisfactory remedy for the defective flight information service currently existing there. With the object of improving the level of safety it recommended, among other measures, that the Council consider the establishment and operation by ICAO of an air traffic co-ordination centre whose primary function would be to assure that all air traffic services units would receive all the traffic information needed for their effective operation. This recommendation was approved by the Council in June, and a secretariat mission visited the countries principally concerned in August. After consultation with the governments of these countries, a detailed plan for establishing the centre was drawn up and submitted to the Air Navigation Commission. The plan was endorsed by the Commission, with minor amendments in certain technical details, and was approved in principle by the Council on 21 November. It was then submitted to potentially interested States, to discover their views on the feasibility of an international financing arrangement to cover the cost of operating such a centre and their own willingness to contribute towards it.

As a result of recommendations made by the Airworthiness and Operations Divisions at their fourth session in 1951, a small standing committee composed of specialists from Contracting States was formed, to meet at intervals of about six months, to continue the development of a new set of aircraft performance specifications for inclusion in Annexes 6 and 8 to the Convention on International Civil Aviation. This committee held two meetings in 1952 and it was anticipated that after one more meeting in 1953 it would be able to present to Contracting States firm recommendations for aircraft performance standards.

c. AIR TRANSPORT QUESTIONS

The most notable events of the year in the air transport field were:

(1) the adoption of the first series of amendments to the International Standards and Recommended Practices on Facilitation (Annex 9); (2) the convening of the second session of the Statistics Division; (3) the adoption of a definition of "scheduled international air

service" and of an analysis of the rights conferred by Article 5 of the Convention; and (4) the completion by the Air Transport Committee of the first stage of its examination of the economic aspects of possible changes in the liability limits in the Warsaw Convention.

Draft amendments to Annex 9, prepared by the Air Transport Committee on the basis of recommendations made by the third session of the Facilitation Division, held during November and December 1951, were circulated to Contracting States for comment in April. These amendments, revised in the light of comments from the States, were submitted to the Council and adopted by it on 7 November as Amendment 1 to the Annex, to become effective 1 March 1953 unless disapproved by a majority of Contracting States, and to come into force on 1 July of that year. The amendments deal with such matters as: the standardization of facilitation (FAL) procedures for the conduct of international operations by private and non-scheduled aircraft; the establishment of an absolute maximum in the way of documentary requirements; the maintenance of international FAL procedures when several landings are to be made by an operator within one state; the establishment of procedures for the entry of aircraft equipment, spare parts, stores and ground equipment; the standardization of entrance visas for temporary visitors; and the improvement of arrangements for direct transit traffic.

During the year there was noticeable progress in the implementation of Annex 9, particularly in South America where a number of States issued decrees giving effect to the provisions of the Annex with only minor differences.

During 1952 the ICAO Council adopted the following definition of "scheduled international air service" for the guidance of Member States:

"A scheduled international air service is a series of flights that possesses all the following characteristics:

"(a) it passes through the airspace over the territory of more than one state;

"(b) it is performed by aircraft for the transport of passenger, mail or cargo for remuneration, in such a manner that each flight is open to use by members of the public;

"(c) it is operated, so as to serve traffic between the same two or more points, either: (i) according to a published time-table, or (ii) with flights so regular or frequent that they constitute a recognizably systematic series."

The second session of the Statistics Division was held in Montreal from 16 September to 6 October. Its principal tasks were to review the value of and need for factual data on various aspects of civil aviation and to re-examine the statistical reporting system developed at its first

session in 1948. The Division agreed on ICAO's main requirement for statistical data.

Towards the end of 1951 the Council had asked the Air Transport Committee to examine the economic aspects of possible changes in the liability limits in the Convention for the Unification of Certain Rules relating to International Transportation by Air (The Warsaw Convention), currently under revision by the Legal Committee of the Organization. In preparation for this study a questionnaire was sent in March to Member States of the Council, to Switzerland, and to the International Union of Aviation Insurers, International Air Transport Association (IATA) and the Federation Internationale des Transports Aériens Privés. Documentation prepared by the secretariat during the summer was considered by the Air Transport Committee in October and November.

d. JOINT SUPPORT QUESTIONS

In this field the major part of ICAO's work was again concerned during 1952 with the administration of the financing arrangements involving the joint maintenance of ocean weather stations in the North Atlantic and the continuance of certain long-term studies. At the end of the year a number of cases in which international financing may prove necessary was under consideration.

Negotiations were continued during the year with the governments of states operating regular services across the North Atlantic but not yet parties to the joint financing arrangements—Colombia, Cuba, Israel, Italy, Spain and Venezuela—with the object of securing their adherence to the arrangements. Switzerland, although not adhering formally to the arrangements, contributed in 1952 as it had during the two previous years towards the cost of the services covered by them. In May, Iceland, which had previously been a party only to the arrangement covering certain air navigation services in its own territory, adhered to the North Atlantic Ocean Weather Stations Agreement, undertaking to contribute £1,000 towards the cost of the stations (beginning in 1951) and formally adhered to the arrangement for the financing of certain air navigation services in Greenland effective 1 January 1952, agreeing to contribute 50,000 Danish Kroner towards their cost in previous years.

The agreement on North Atlantic Ocean Weather Stations, concluded in 1949, was due to expire on 1 June 1953. On 28 May 1952, all states signatories to this agreement signed a protocol extending the agreement for one year (until 30

June 1954), providing that a conference to consider its revision and renewal should be convened by the ICAO Council in 1953. The Council subsequently decided to hold such a conference in Brighton, England, commencing 8 July 1953.

e. LEGAL QUESTIONS

The first plenipotentiary conference on private air law held since the Second World War took place under ICAO auspices in Rome from 9 September to 6 October 1952 and was attended by delegates and observers representing 32 states and seven international organizations. The conference revised the Convention for the Unification of Certain Rules Relating to Damage Caused by Aircraft to Third Parties on the Surface (Rome 1933) and the Insurance Protocol thereto (Brussels 1938).

The revised Convention retains the original Rome Convention system of absolute liability of the aircraft operator for damage caused to third parties on the surface, lightening the burden thus laid on the operators by placing a limitation on the amount of compensation that can be recovered by the victim. This limitation of the operator's liability is expressed in a scale calculated on the basis of the weight of the aircraft causing the damage. The limits established in the new convention are substantially higher than those in the old.

In lieu of the system of compulsory insurance found in the Rome Convention, the new one provides that any Contracting State may require the operator of an aircraft registered in another Contracting State, in respect of damage on the surface that might be caused by such aircraft, to be protected by means of insurance or some other security. The new Convention also differs from the old in providing, for the first time on a multilateral basis, for the compulsory recognition and execution of foreign judgments in lawsuits dealing with third party surface damage under the Convention. As of 31 December 1952, the new Convention had been signed by eighteen States—Argentina, Belgium, Brazil, Denmark, the Dominican Republic, Egypt, France, Israel, Italy, Liberia, Luxembourg, Mexico, the Netherlands, the Philippines, Portugal, Spain, Switzerland and Thailand. It will remain open for signature until it comes into force, that is, 90 days after five of the signatory States have deposited their instruments of ratification.

Sixty-one agreements and arrangements were registered with ICAO during 1952, bringing the total number registered to 965. Forty-eight of

them were bilateral agreements between States on air transport (40), radio-communications and facilities (3) and double taxation (5). Monthly lists of agreements registered were published throughout the year.

f. PUBLICATIONS

ICAO publishes complete documentation of its work.⁹ Included in the more important technical publications issued during the year were two sets of Procedures for Air Navigation Services—Rules of the Air and Air Traffic Services, and Instrument Approach to Land. A further series of Statistical Summaries, dealing with such matters as Traffic Flow, Scheduled Airline Operations, and Origin and Destination of Passengers, was published. Another publication of interest is the lexicon of terms used in connexion with international civil aviation; this is a vocabulary in English, French and Spanish which brings together terms relative to the work of ICAO.

Public Information material on ICAO available in English, French, and Spanish includes: Memorandum on ICAO, a complete summary of the aims, history and work of the organization; and the ICAO Bulletin, which provides 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 \$2,834,191 (Canadian) for the calendar year 1952 was approved by the fifth Assembly of ICAO, held in Montreal in June 1951. The sixth Assembly of ICAO approved a budget of \$2,817,167 (Canadian) for the calendar year 1953 as follows:

PART I	Meetings	\$ 149,502
PART II	Secretariat	2,651,512
PART III	General Services	416,770
PART IV	Equipment	35,600
PART V	Other budgetary provisions ..	6,000
		3,259,384
		Less: Casual revenue
		442,217

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, Bolivia, Dominican Republic, Haiti, Jordan, Lebanon, Liberia, Nicaragua, Paraguay	2
El Salvador, Guatemala, Iceland, Luxembourg, Syria	3
Afghanistan, Iraq	4
Burma, Ceylon	5
Ethiopia, Finland, Israel, Thailand	6
Indonesia	8
Chile, Greece, Peru	9
Iran, Philippines	11
Cuba, Ireland, Portugal	14
Egypt, Turkey	15
Colombia, Pakistan, New Zealand, Norway	16
Czechoslovakia, Denmark, Venezuela	20
Union of South Africa	25
Mexico, Spain	29
Switzerland	30
Belgium, Poland	32
Sweden	34
Argentina	36
Brazil	39
Italy	40
Netherlands	43
Australia, India	52
Canada	74
France	86
United Kingdom	134
United States	405

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.

⁹ A list of this documentation is contained in ICAO's catalogue of "Salable Publications".

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS
(As of 31 December 1952)

A. MEMBERS OF ICAO

Afghanistan	France	Nicaragua
Argentina	Greece	Norway
Australia	Guatemala	Pakistan
Austria	Haiti	Paraguay
Belgium	Iceland	Peru
Bolivia	India	Philippines
Brazil	Indonesia	Poland
Burma	Iran	Portugal
Canada	Iraq	Spain
Ceylon	Ireland	Sweden
Chile	Israel	Switzerland
Colombia	Italy	Syria
Cuba	Jordan	Thailand
Czechoslovakia	Korea, Rep. of	Turkey
Denmark	Lebanon	Union of
Dominican Republic	Liberia	South Africa
Egypt	Luxembourg	United Kingdom
El Salvador	Mexico	United States
Ethiopia	Netherlands	Venezuela
Finland	New Zealand	

B. MEMBERS OF THE COUNCIL

Argentina	Brigadier Luís Nicolas Rios
Australia	J. W. Stone
Belgium	Lt. Colonel J. Verhaegen
Brazil	Colonel B. M. Amarante
Canada	Brigadier C. S. Booth
Denmark	E. Moller Hansen
Egypt	Mohamed El Hakim
France	H. Bouché
India	O. N. Dang
Iraq	Ali Fuad
Ireland	W. Algar
Italy	S. Cacopardo
Mexico	E. M. Loaeza
Netherlands	F. H. Copes van Hasselt
Philippines	E. M. Asistores
Portugal	Joaquim De Brito Subtil
Spain	Col. Juan Bono
Union of South Africa	V. P. Field
United Kingdom	Sir Frederick Tymms
United States	Rear Admiral Paul A. Smith
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:

E. Pépin

Director, Administration and Services Bureau:

R. Gilbert

Director, Technical Assistance:

E. R. Marlin

D. HEADQUARTERS

Address: International Civil Aviation Organization
International Aviation Building
Montreal, Canada

Cable Address: ICAO MONTREAL

E. REGIONAL OFFICES

Address: ICAO Representative
European-African Office
60 bis Avenue d'Iena
Paris 16, 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 Salah el Dine
Zamelek
Cairo, Egypt

Cable Address: ICAOREP CAIRO

Address: ICAO Representative
10 Weybridge Street
Surrey Hills, E 10
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 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 1951, the Bank had made 58 loans totalling \$1,231,783,000 for reconstruction and development in 25 countries. These loans were made in Australia, Belgium, Brazil, Chile,

Colombia, Denmark, El Salvador, Ethiopia, Finland, France, Iceland, India, Iraq, Italy, Luxembourg, Mexico, the Netherlands, Nicaragua, Paraguay, the Union of South Africa, 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 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

¹ For further information, in particular on the Bank's activities prior to 1951, 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, p. 904.

a first-hand study of a country's resources and formulate recommendations designed to serve as the basis of a long-term development programme. By the end of 1951, the Bank had sent general survey missions to Colombia, Guatemala, Turkey, Cuba, Iraq, Ceylon and Surinam. Similarly, a special representative of the Bank was stationed in Nicaragua for a period of eight months to work with the Government in the planning and initial execution of a broad development programme and to co-ordinate the work of other experts called in to advise on problems in their special fields. The reports of the general survey missions to Colombia, Guatemala, Turkey, and Cuba had been completed by the end of 1951 and presented to the Governments concerned.⁵

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; FAO has provided agricultural experts; specialists have been nominated by WHO and 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 make recommendations for its development. The Bank and FAO jointly sponsored special agricultural missions sent to Chile and Uruguay in 1951 to study and 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. By the end of 1951 countries which had received assistance in some form included, in addition to those mentioned above, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Honduras, Iceland, Iran, Lebanon, Mexico, Pakistan, Panama, Peru and the Philippines.

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 two thirds 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 meets 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 has 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 as 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 on questions of policy, he is responsible for the conduct of the business of the Bank and for the organization of its staff. A loan is made only 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.

The Bank's staff is organized into the following departments and offices: Department of Operations—Asia and Middle East; Europe, Africa and Australasia; the Western Hemisphere; Departments of Marketing, Technical Operations, Administration, and Treasurer; Offices of the General Counsel, the Secretary, Public Relations, Economic Staff, and Technical Assistance and Liaison Staff.

⁵ The reports of these missions are published by the Johns Hopkins Press of Baltimore, Maryland.

3. Activities during 1952

The Board of Governors of the Bank held its seventh annual meeting in Mexico City from 3 to 12 September 1952. The fourth regular election of Executive Directors was held at this meeting. Membership increased during the year to 54 with the admission of Burma on 3 January, Japan on 13 August, the Federal Republic of Germany on 14 August and the Hashemite Kingdom of Jordan on 29 August.

a. LENDING OPERATIONS

During 1952 the Bank made sixteen loans totalling \$292,483,464 in twelve countries, bringing to \$1,524,266,464 the total lent by the Bank at the end of the year. A brief description of the loans made in 1952 is given below.

Australia received a \$50 million loan on 8 July to finance the import of capital goods and equipment for development programmes undertaken by the Government in agriculture and land settlement, coal mining, iron and steel production, electric power, railways, road transport, the production of non-ferrous metals and industrial minerals, and manufacturing industries.

Two loans totalling \$37,500,000 were made in Brazil on 27 June. A \$25 million loan was made to the Comissão Estadual de Energia Electrica, a State-owned agency, to finance imported equipment for an electric power development programme in the State of Rio Grande de Sul. The loan was guaranteed by the Brazilian Government. A \$12.5 million loan was made to the Government to purchase rolling stock and equipment for the Central do Brasil Railroad, Brazil's largest railway.

The Bank's first loan for the construction of a railroad was made to Colombia on 26 August. The \$25 million loan will provide the foreign exchange costs of a railroad to be constructed in the Magdalena River Valley, and to build and equip railroad repair shops in Bogota. This rail line will connect the country's eastern and western rail networks, providing rail transport between the Bogota area and the Pacific coast and a reliable river-rail route between central Colombia and the Caribbean ports.

Two loans were made to the Bank of Finland. On 30 April a \$20 million loan was made to finance the import of equipment to expand and modernize the wood-products industry; to increase the supply of electric power; and to improve farm lands and build forest roads. The Bank of Finland will re-lend the proceeds of the loan to both private and government-owned corpora-

tions. A loan of 18,000,000 Swedish kronor (approximately \$3.5 million) was made to the Bank of Finland on 13 November to aid further to the modernization and expansion of Finland's wood-products industry. The Swedish kronor for this loan were made available to the Bank by the Swedish Government from the paid-in portion of Sweden's subscription to the Bank's capital. Both loans were guaranteed by the Government of Finland.

A loan in European currencies, equivalent to \$854,000, was made to Iceland on 26 August to help finance the construction of a nitrogen fertilizer plant. The construction of the plant will enable Iceland to reduce substantially its foreign exchange expenditures for nitrogen fertilizer and meet its increasing domestic needs for this fertilizer. This was the third non-dollar loan made to Iceland by the Bank.

The Bank's first direct loan to a manufacturer was made to the Indian Iron and Steel Company, Ltd., on 19 December. The \$31.5 million loan, guaranteed by the Indian Government, was made to help finance the Company's five-year plan to double its present annual output of iron and steel.

The Federal Electricity Commission and Nacional Financiera in Mexico received a \$29.7 million loan on 11 January to finance import of equipment and materials needed to carry out seven major projects in its 1952-55 construction programme.

On 20 March a loan of \$7 million, guaranteed by the Netherlands Government, was made to K.L.M. (Royal Dutch Airlines) to help finance a programme to replace part of its air fleet. The Chase National Bank of the City of New York participated in the loan to the extent of half the total amount.

Two loans were made to Pakistan. On 27 March a loan, equivalent to \$27.2 million, was made for the rehabilitation, improvement and modernization of the railways in East and West Pakistan. For this loan the French Government agreed to make available the equivalent of \$12 million in French francs from the paid-in portion of its subscription to the Bank's capital. The balance of the loan will be disbursed in dollars. The Bank's second loan to Pakistan, of \$3,250,000, was made on 13 June to finance the import of tractors and other equipment to be used in reclaiming 660,000 acres of waste land of the Thal desert in West Pakistan.

Two loans were made to Peru. A loan of \$2.5 million was made on 23 January to provide modern facilities for handling general cargo and for the unloading and storage of bulk grain at the port of Callao. These facilities, it is anticipated, will

enable more efficient handling of 80 per cent of the cargo moving through the port, speed up the turn-around time of ships, eliminate losses of grain from spillage and effect a savings in Peru's foreign exchange. A second loan of \$1.3 million was made on 8 July for the import of equipment to improve methods of agricultural production and to reclaim old and open new lands to cultivation. With the equipment financed under the second loan it is estimated that an additional 50,000 acres of land can be tilled and seeded each year in Peru.

A \$28 million loan was made to Southern Rhodesia on 27 February to aid in carrying out the Government's four-year programme for economic development by helping finance imported equipment and materials to expand power production and distribution. The loan was guaranteed by the United Kingdom.

A \$25.2 million loan was made to Turkey on 18 June to assist in the development of the Adana Plain, a productive agricultural and industrial area in south-central Turkey. The loan will finance the foreign exchange costs of a dam on the Seyhan River—to be used for flood control, irrigation and hydro-electric power—and of a power plant and related distribution facilities. These installations are a part of a comprehensive plan being carried out by the Turkish Government for the full control and utilization of the waters of the Seyhan River.

b. TECHNICAL ASSISTANCE

During 1952 the reports of five general survey missions—to Jamaica, Iraq, Surinam, Ceylon and Nicaragua—were completed and presented to the Governments concerned. In September 1952 the Bank was requested and agreed to send a general survey mission to British Guiana; at the end of the year the mission was preparing to make its field studies.

In a number of cases the Bank has been requested and has provided further assistance in adapting and carrying out the recommendations of the survey missions. During 1952 the Bank agreed to reassign a special representative and an assistant to Nicaragua to assist the Government in implementing the five-year development programme recommended by the earlier Bank mission. It sent representatives to Iraq and Cuba for discussions with government officials concerning steps being taken in carrying out recommendations of the general survey missions. The Bank also assigned two staff members and nominated specialists to work in Colombia with the Planning Board established by the Government to co-ordinate all development activities.

The report of a special agricultural mission, sent to Chile in 1951 under the joint sponsorship of the Bank and FAO, was completed and presented to the Chilean Government in 1952.

During the year the Bank continued to render a variety of technical assistance in other forms. In the summer of 1952, a Joint Bank-United Nations Technical Assistance Administration (TAA) mission visited Panama to discuss with the Government first steps to be taken toward the future economic development of the country as suggested in the report of an earlier Bank mission. In line with the programme of assistance then worked out, the TAA has undertaken to provide experts in fiscal and public administration and the Bank to provide advice on problems of fiscal policy and agricultural credit. In September 1952 the Bank arranged for an expert from the Federal Reserve Bank of New York to advise on immediate fiscal problems and to study the fiscal and credit systems of the Social Security Fund.

In May 1952 a Bank mission visited the Dominican Republic to explore the Government's request for technical assistance in connexion with the development of hydro-electric power. Following this mission, the Bank furnished a list of engineering consultants to organize the collection of basic hydrologic and geologic data for a power survey and to make a market study. In December the Dominican Government engaged a consultant engineer nominated by the Bank to advise on the relations between the Government and private power industry.

In October 1952, at the request of the Icelandic Government, the Bank provided a staff member to review Iceland's agricultural development in relation to markets for the principal agricultural exports.

The Bank's Director of Marketing visited the Philippines in December, at the request of the Government, to advise on the development of a government bond market.

Two Bank officials visited Ceylon in November 1952 to explore, on behalf of the Bank and the TAA, the feasibility of establishing and sponsoring a technical research institute. The purpose of the institute, which was recommended by the Bank's general survey mission, would be to study local productive activities with a view to solving technical problems, improving production techniques, finding by-products, and instituting better methods of quality control. The Ceylonese Government confirmed its interest in having such an institute, and a formal request for assistance from the Bank and TAA in its organization was expected.

A series of conferences were arranged by the Bank in May and June for engineers from India and Pakistan. Together with Bank engineers, they studied the possible technical means of increasing the supply of water available from the Indus system of rivers for purposes of economic development. These conferences were continued in December in Karachi, Pakistan. Information obtained through field studies made between June and December was exchanged. It was decided that the engineers should meet again in September 1953 in Washington, D.C., to prepare a comprehensive plan for the development of the Indus Basin.

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 1952, the total subscribed capital amounted to the equivalent of \$9,036,500,000. 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 four issues of its bonds: two issues in the United States in a total amount of \$110 million; an issue in Canada amounting to Canadian \$15 million; and an issue in Switzerland in the amount of Sw. Fr. 50 million (the equivalent of approximately \$11.6 million). On 31 December 1952 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 \$567.5 million.

Sales of the obligations of the Bank's borrowers continued to increase. During the year the Bank sold the equivalent of \$32,227,528 principal amount of borrowers' obligations, of which \$17,686,401 carried the Bank's unconditional guarantee and \$14,541,127 were sold without recourse to the Bank. Obligations of seventeen

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 1952, expressed in United States dollars, amounted to \$65,669,908.

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 institutional 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—	\$100,000,000 (U.S.)	Serial 2% bonds, due 1953-62. (The proceeds of this issue were used to redeem \$100,000,000 (U.S.) 10-year 2 1/4% bonds dated 15 July 1947.)
1 Mar. 1950—	28,500,000 (Swiss Franc)	(\$6.6 million equivalent) Serial 2 1/2% bonds, due 1953-56.
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 3 1/2% Stock, due 1966-71.
1 Aug. 1951—	50,000,000 (Swiss Franc)	(\$11.6 million equivalent) 12-year 3 1/2% bonds, due 1 August 1963.
1 Oct. 1951—	\$100,000,000 (U.S.)	30-year 3 1/4% 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 3 3/8% bonds, due May 1975.
15 Oct. 1952—	\$60,000,000 (U.S.)	19-year 3 1/2% bonds, due 15 October 1971.
1 Dec. 1952—	50,000,000 (Swiss Franc)	(\$11.6 million equivalent) 10-year 3 1/2% bonds, due 1 December 1962.

SOURCE AND DISPOSITION OF FUNDS (In U. S. dollars)

Capital Stock:

2% paid in portion of subscription of all Members	\$177,185,000
18% portion of subscriptions made available by:	
Belgium	\$ 3,500,000
Canada	53,355,939
Denmark	1,066,055
France	24,491,455
Italy	2,538,328
Netherlands	300,000
Norway	200,000
South Africa	2,800,000

Sweden	3,629,464
United Kingdom	5,408,716
United States	<u>571,500,000</u>
TOTAL	<u>668,789,957</u>
Total available capital subscription.	\$ 845,974,957
Funds available from operations	66,400,000
Funds available from sale of bonds.	567,537,469
Funds available from sale of loans and principal repayments	<u>76,524,622</u>
Gross total available funds.	1,556,437,048
Loans disbursed	<u>996,508,662</u>
Excess of available funds over loan disbursements	<u>\$ 559,928,386</u>

Deduct—Amount equivalent to commissions appropriated to Special Reserve	<u>7,558,906</u>
Gross Income less Reserve deduction	<u>\$ 35,188,744</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 1952 this reserve amounted to \$65,667,843 which, added to the Special Reserve provided for in the Bank's Articles of Agreement, brought the total reserves at that date to \$97,889,179.

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 1952 resulted in a net income of \$15,872,883. In addition, loan commissions of \$7,558,906 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 1952 amounted to \$65,667,843. As of 31 December 1952 the total amount credited to the Special Reserve was \$32,221,336. (All amounts are in U. S. dollars.)

STATEMENT OF INCOME AND EXPENSES (For the fiscal year ended 30 June 1952)

INCOME	
Interest earned on investments.	\$ 8,500,740
Income from loans:	
Interest	23,669,009
Commitment charges	2,838,343
Commissions	7,558,906
Service Charges	80,203
Other income	<u>100,449</u>
Gross Income.	\$42,747,650

EXPENSES

Administrative expenses:	
Personal services	\$ 3,132,058
Expenses allowance—Executive Directors and Alternates	5,144
Fees and compensation	318,832
Representation	56,092
Travel	538,211
Supplies and material	42,574
Rents and utility services	397,770
Communication services	114,332
Furniture and equipment	33,586
Motor vehicles	4,907
Books and library services.	69,463
Printing	67,765
Contribution to staff benefits.	336,559
Insurance	16,704
Handling and storage of gold.	2,080
Other expenses	<u>1,281</u>
Total Administrative Expenses.	\$ 5,137,358
Interest on bonds	11,793,631
Bond registration, issuance and other financial expenses	2,346,692
Exchange adjustments	<u>38,180</u>
Gross Expenses	<u>\$ 19,315,861</u>
Net Income—Appropriated to General Reserve Against Losses on Loans and Guarantees	<u>\$ 15,872,883</u>

An administrative budget for the fiscal year ending 30 June 1953 prepared by the President of the Bank has been approved by the Executive Directors and Board of Governors, as follows (in U. S. dollars).

ADMINISTRATIVE BUDGET

For the Fiscal Year Ending 30 June 1953

	Budget 1953
Board of Governors	\$ 206,000
Office of Executive Directors	305,000
STAFF	
Personal services	\$3,063,500
Staff benefits	356,500
Consultants	100,000
Travel	363,000
Representation	<u>40,000</u>
	3,923,000

OTHER ADMINISTRATIVE EXPENSES		Printing	40,000	
Fees and compensation	46,000	Insurance	<u>38,000</u>	
Supplies	36,000			778,000
Rents and maintenance.	412,000	CONTINGENCY		<u>100,000</u>
Communications	102,000	TOTAL		\$5,312,000
Furniture and equip- ment	31,000	SPECIAL SERVICES TO MEMBER COUNTRIES ..		<u>400,000</u>
Books and library serv- ices	73,000	GRAND TOTAL		<u><u>\$5,712,000</u></u>

ANNEX I. MEMBERS OF THE BANK, THEIR SUBSCRIPTIONS AND VOTING POWER
(As of 31 December 1952)

	Voting Power ⁶		Subscriptions Amount (in millions of U.S. dollars)		Voting Power ⁶		Subscriptions Amount (in millions of U.S. dollars)
	Number of Votes	Percent of Total			Number of Votes	Percent of Total	
Australia	2,250	2.17	200.0	Iran	586	.56	33.6
Austria	750	.72	50.0	Iraq	310	.30	6.0
Belgium	2,500	2.41	225.0	Italy	2,050	1.97	180.0
Bolivia	320	.31	7.0	Japan	2,750	2.65	250.0
Brazil	1,300	1.25	105.0	Jordan	280	.27	3.0
Burma	400	.39	15.0	Lebanon	295	.28	4.5
Canada	3,500	3.37	325.0	Luxembourg	350	.34	10.0
Ceylon	400	.39	15.0	Mexico	900	.87	65.0
Chile	600	.58	35.0	Netherlands	3,000	2.89	275.0
China	6,250	6.02	600.0	Nicaragua	258	.25	.8
Colombia	600	.58	35.0	Norway	750	.72	50.0
Costa Rica	270	.26	2.0	Pakistan	1,250	1.20	100.0
Cuba	600	.58	35.0	Panama	252	.24	.2
Czechoslovakia	1,500	1.44	125.0	Paraguay	264	.25	1.4
Denmark	930	.90	68.0	Peru	425	.41	17.5
Dominican Republic.	270	.26	2.0	Philippines	400	.39	15.0
Ecuador	282	.27	3.2	Sweden	1,250	1.20	100.0
Egypt	783	.75	53.3	Syria	315	.30	6.5
El Salvador	260	.25	1.0	Thailand	375	.36	12.5
Ethiopia	280	.27	3.0	Turkey	680	.65	43.0
Finland	630	.61	38.0	Union of South Africa	1,250	1.20	100.0
France	5,500	5.29	525.0	United Kingdom	13,250	12.76	1,300.0
Germany, Fed. Rep. of	3,550	3.42	330.0	United States	32,000	30.81	3,175.0
Greece	500	.48	25.0	Uruguay	355	.34	10.5
Guatemala	270	.26	2.0	Venezuela	355	.34	10.5
Honduras	260	.25	1.0	Yugoslavia	650	.63	40.0
Iceland	260	.25	1.0				
India	4,250	4.09	400.0	Total	103,865	100.00	9,036.5

ANNEX II. BOARD OF GOVERNORS
(As of 31 December 1952)

Member Government	Governor	Alternate
Australia	Sir Percy Spender	Roland Wilson
Austria	Reinhard Kamitz	Wilhelm Teufenstein
Belgium	Albert-Edouard Janssen	Maurice Frere
Bolivia	Augusto Cuadros Sánchez	
Brazil	Horacio Lafer	Octavio Paranagua
Burma	U Tin	U San Lin
Canada	D. C. Abbott	John Deutsch
Ceylon	J. R. Jayewardene	Sir Claude Corea
Chile	Arturo Maschke	
China	Chia Kan Yen	Peh-Yuan Hsu
Colombia	Emilio Toro	Ignacio Copete-Lizarralde

⁶Each Member of the Bank has 250 votes plus one additional vote for each share of stock held. The Governor of each Member casts all the votes allotted to the Member he represents.

Member Government	Governor	Alternate
Costa Rica	Angel Coronas	Mario Fernandez
Cuba	Luis Machado	Joaquin E. Meyer
Czechoslovakia	Rudolf Houdek	Antonin Braidl
Denmark	Svend Nielsen	Hakon Jespersen
Dominican Republic	Manuel Ramón Ruiz Tejada	Pedro Pablo Cabral B.
Ecuador	Luis Ernesto Borja	Ramón 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 Torngren
France	Felix Gaillard	Pierre Mendes-France
Germany	Ludwig Erhard	Fritz Schaeffer
Greece	George Mavros	Gregorios Zarifopoulos
Guatemala	Manuel Noriega Morales	Carlos Leonidas Acevedo
Honduras	Rafael Heliodoro Valle	Guillermo López Rodezno
Iceland	Jon Arnason	Thor Thors
India	Sir Chintaman D. Deshmukh	Sir Senegal Rama Rau
Iran	Mohammad Nassiri	Abbas-Gholi Neysari
Iraq	Ibrahim Shabandar	Saleh Haidar
Italy	Donato Menichella	Giorgio Cigliana-Piazza
Japan	Tadaharu Mukai	Hisato Ichimada
Jordan	Yusuf Haikal	Omar Dajany
Lebanon	Joseph Oughourlian	Raja Himadeh
Luxembourg	Pierre Dupong	Pierre Werner
Mexico	Ramon Beteta	Antonio Carrillo Flores
Netherlands	J. A. van de Kieft	A. M. de Jong
Nicaragua	Guillermo Sevilla-Sacasa	Rafael A. Huezo
Norway	Gunnar Jahn	Ole Colbjornsen
Pakistan	Mohammad Ali	Amjad Ali
Panama	Roberto M. Heurtematte	Julio E. Heurtematte
Paraguay	Juan R. Chaves	Hermógenes Gonzalez Maya
Peru	Fernando Berckemeyer	Carlos Gibson
Philippines	Miguel Guaderno Sr.	Emilio Abello
Sweden	N. G. Lange	A. Lundgren
Syria	Husni A. Sawwaf	Rafik Asha
Thailand	Serm Vinicchayakul	Kajit Kasemsri
Turkey	Mehmet Izmen	Munir Mostar
Union of South Africa	N. C. Havenga	M. H. de Kock
United Kingdom	Richard Austen Butler	Sir Leslie Rowan
United States	John W. Snyder	David K. E. Bruce
Uruguay		
Venezuela	Manuel Reyna	Carlos M. Lollet C.
Yugoslavia	Vido Kronic	Janvid Flere

ANNEX III. EXECUTIVE DIRECTORS

(As of 31 December 1952)

Executive Director	Alternate	Appointed by
Andrew N. Overby	John S. Hooker	{ United States United Kingdom China France India
Sir Edmund Hall-Patch	Allan Christelow	
Yueh-Lien Chang		
Roger Hoppenot		
B. K. Nehru	B. R. Shenoy	
		Elected by ⁷
		{ Mexico Cuba Peru Uruguay Venezuela Costa Rica Dominican Republic Guatemala El Salvador Honduras Nicaragua Panama
Luis Machado (Cuba)	Julio E. Heurtematte (Panama)	

Executive Director	Alternate	Elected by ⁷
Johannes Zahn (Germany)	Nenad D. Popovic (Yugoslavia)	{ Germany Yugoslavia
Mohammad Shoaib (Pakistan)	Ali Asghar Nasser (Iran)	{ Pakistan Egypt Iran Syria Iraq Lebanon Ethiopia Jordan
Cabir Selek (Turkey)	Felice Pick (Italy)	{ Italy Austria Turkey Greece
Takeo Yumoto (Japan)	Boonma Wongswan (Thailand)	{ Japan Burma Ceylon Thailand
Erling Sveinbjornsson (Denmark)	Reino Rossi (Finland)	{ Sweden Denmark Norway Finland Iceland
Alfonso Fernández (Chile)	Jorge del Canto (Chile)	{ Brazil Chile Colombia Philippines Bolivia Ecuador Paraguay
L. G. Melville (Australia)	L. H. E. Bury (Australia)	{ Australia Union of South Africa
Louis Rasminsky (Canada)	G. Neil Perry (Canada)	Canada
A. M. de Jong (Netherlands)	H.M.H.A. van der Valk (Netherlands) (Temp.)	Netherlands
Thomas Basyn (Belgium)	Ernest de Selliers (Belgium)	{ Belgium Luxembourg

ANNEX IV. OFFICERS AND HEADQUARTERS

(As of 31 December 1952)

A. OFFICERS	
President:	Director of Operations—Europe, South Africa, Australasia:
Eugene R. Black	A. S. G. Hoar
Vice-President:	Director of Operations—Western Hemisphere:
Robert L. Garner	J. Burke Knapp
Assistant to President:	Director of Technical Operations:
William A. B. Iliff	R. A. Wheeler
Director of Operations—Asia and Middle East:	Treasurer:
Vacant	Henry W. Riley ⁸

⁷ The votes of Czechoslovakia may not be cast by any Executive Director since this country did not participate in the election of the Executive Directors.

⁸ Appointed 1 January 1953.

Director of Economic Staff:
Leonard B. Rist

General Counsel:
Davidson Sommers

Secretary:
M. M. Mendels

Director of Technical Assistance and Liason Staff:
Richard H. Demuth

Director of Marketing:
George L. Martin

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, France

F. 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 purposes 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 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

¹ For further information, in particular on the Fund's activities prior to 1952, 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., 1952, pp. 913-14.

⁴ For text, see Y.U.N., 1947-48, pp. 885-87.

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 adjusted their exchange systems to changing conditions.

In numerous instances the Fund has sent missions to confer with individual governments or to give them technical assistance.

In administering the Articles of Agreement, the Executive Board has been called upon by the Members to make decisions on questions of discriminatory restrictions, multiple exchange rates and other problems important to harmonious international monetary relations.

Foreign exchange transactions by 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 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. Sales of currencies from the Fund's holdings to Member countries totalled the equivalent of \$814,033,000 on 31 December 1951. By that date also, Members had paid \$79,650,000 in gold and U. S. dollars to the Fund in repurchasing amounts of their own currencies. Approximately \$768,580,000 of the transactions represented sales by the Fund of U. S. dollars, \$11,408,000 were sales of Belgian francs and \$34,045,000 were sales of British pounds sterling.

2. Organization

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.⁵

Each Member of the Fund has 250 votes plus one additional vote for each \$100,000 of its quota.⁶ 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. For example, to change the quota of a Member requires, in addition to the consent of that Member, approval by four fifths of the voting power of the Board of Governors; four fifths of the voting power is also required to increase the number of Executive Directors. Amendments to the Articles of Agreement may be adopted by three fifths of the Members having four fifths of the total voting power and, in a few instances, require acceptance by all Members. In voting on certain matters, such as the question of waiving conditions governing the use of the Fund's resources or declaring a Member ineligible to use the Fund's resources, the voting power of each Member is adjusted by the addition of one vote for each \$400,000 of sales of its currency and by the subtraction of one vote for each \$400,000 of its purchases of other currency.

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.

There are sixteen Executive Directors, five of whom are appointed by the five Members having the largest quotas. The remaining Executive Directors are elected by the Governors representing the other Members of the Fund, as follows: nine by Members other than the Latin American Republics, and two by the Latin American Republics. Each appointed Executive Director casts as a unit all the votes allotted to the Member which appointed him, and each elected Director casts as a unit the total number of votes allotted to those countries which elected him. A quorum of the Executive Directors consists of a majority of Directors representing at least one half of the total voting power.

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

⁵ 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.

⁶ For Members, their quotas **and voting power**, as of 31 December 1952, see p. 870.

of the Executive Directors, without the right to vote except in the case of a tie.

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 1952, amounted to \$8,736.5 million. This included \$1,691,900,000 in gold and \$5,682,800,000 in various national currencies, including \$1,288,100,000 in U. S. dollars and \$225 million 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 1952

The membership of the Fund increased during the year from 50 to 54 with the admission of Burma, Japan, the Federal Republic of Germany and Jordan.

During 1952 the Fund carried forward 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; and 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 provided 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 continued to be a major activity of the Fund throughout the year.

There were no changes in Members' currency par values during 1952. An initial par value was established, however, for the Ceylonese rupee on 17 January. The Fund announced on 1 August that it had no objection to a number of changes proposed by the Government of Paraguay in its multiple rate system.

Fund transactions during 1952 represented sales of U. S. dollars as follows: Australia, \$30 million; Brazil, \$37,500,000; Finland, \$4,500,000; Paraguay, \$875,000; and Turkey, \$10 million. These transactions brought total sales to 22 Members to the equivalent of approximately \$897 million. The Fund received payments of gold or U. S. dollars in the following repurchases by Members of amounts of their own currencies held by the Fund: Brazil, \$65,500,000; Chile, \$3,679,000; Netherlands, \$27,352,000; Peru, \$3,097,000; Sweden, \$7,999,000; Syria, \$418,000; and Turkey, \$4,998,000. By the end of the year, repurchases, by sixteen Members, amounted to \$192,693,000.

The Fund's Board of Governors held its Seventh Annual Meeting in Mexico City from 3 to 12 September. The Board of Governors held the fourth regular election of Executive Directors, increasing the number elected by Members other than the Latin American Republics from seven to nine, thereby bringing the total number of Executive Directors from fourteen to a maximum of sixteen.

In its annual report to the Governors, the Fund's Executive Board referred to a decision on use of the Fund's resources which had been adopted on 13 February 1952. It provided that, as a general rule, "any increase in the Fund's holdings of a Member's currency originating from transactions by the Member should be reduced within a period not exceeding three to five years".

A further development relating to the use of the Fund's resources was embodied in a decision of 19 June which was made in response to a request from Belgium. This involved the Fund's first request for a standby arrangement, rather than a drawing. It was agreed that Belgium would have the right, for a period of six months, to purchase with Belgian francs on a revolving basis up to the equivalent of U. S. \$50 million in currencies held by the Fund. The agreement was

made renewable for subsequent six-monthly periods, unless either Belgium or the Fund determined that conditions had been basically altered so that the arrangement should be terminated.

The decision with respect to Belgium, was generalized on 1 October. The Fund told its Members that it was prepared to consider requests for standby arrangements limited to periods of six months, which might be renewed by decision of the Executive Board. In considering such requests, the Fund decided that it would apply the same policies applied to requests for immediate drawings.

In addition to its annual reports, of which there have been seven (1946-52), the Fund has published three annual reports on exchange restrictions (1950-51-52). 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 1953, as approved by the Executive Board, is as follows:

Personal services	\$3,437,000.00
Contributions to Retirement Plan and other benefits	353,500.00
Travel	328,000.00
Communications	110,500.00
Office occupancy expense	474,000.00
Books and printing	133,000.00
Supplies and equipment	71,500.00
Meetings of the Board of Governors	213,500.00
Miscellaneous	48,300.00
TOTAL ADMINISTRATIVE EXPENDITURES	\$5,169,300.00⁷

ANNEX I. MEMBERS OF THE FUND, THEIR QUOTAS AND VOTING POWER (As of 31 December 1952)

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 ⁸	Per cent of Total		
Australia	\$ 200.0	2,250	2.23	Japan	\$250.0	2,750	2.73		
Austria	50.0	750	0.74	Jordan	3.0	280	0.28		
Belgium	225.0	2,500	2.48	Lebanon	4.5	295	0.29		
Bolivia	10.0	350	0.35	Luxembourg	10.0	350	0.35		
Brazil	150.0	1,750	1.73	Mexico	90.0	1,150	1.14		
Burma	15.0	400	0.40	Netherlands	275.0	3,000	2.97		
Canada	300.0	3,250	3.22	Nicaragua	2.0	270	0.27		
Ceylon	15.0	400	0.40	Norway	50.0	750	0.74		
Chile	50.0	750	0.74	Pakistan	100.0	1,250	1.24		
China	550.0	5,750	5.70	Panama	0.5	255	0.25		
Colombia	50.0	750	0.74	Paraguay	3.5	285	0.28		
Costa Rica	5.0	300	0.30	Peru	25.0	500	0.50		
Cuba	50.0	750	0.74	Philippines	15.0	400	0.40		
Czechoslovakia ..	125.0	1,500	1.49	Sweden	100.0	1,250	1.24		
Denmark	68.0	930	0.92	Syria	6.5	315	0.31		
Dominican Republic	5.0	300	0.30	Thailand	12.5	375	0.37		
Ecuador	5.0	300	0.30	Turkey	43.0	680	0.67		
Egypt	60.0	850	0.84	Union of South Africa	100.0	1,250	1.24		
El Salvador	2.5	275	0.27	United Kingdom.	1,300.0	13,250	13.14		
Ethiopia	6.0	310	0.31	United States	2,750.0	27,750	27.51		
Finland	38.0	630	0.62	Uruguay	15.0	400	0.40		
France	525.0	5,500	5.45	Venezuela	15.0	400	0.40		
Germany, Fed. Rep. of	330.0	3,550	3.52	Yugoslavia	60.0	850	0.84		
Greece	40.0	650	0.64		<u>\$8,736.5</u>	<u>100,865</u>	<u>100.00⁹</u>		
Guatemala	5.0	300	0.30						
Honduras	2.5	275	0.27						
Iceland	1.0	260	0.26						
India	400.0	4,250	4.21						
Iran	35.0	600	0.59						
Iraq	8.0	330	0.33						
Italy	180.0	2,050	2.03						

⁷ Includes \$5,078 for liquidation of prior year commitments.

⁸ Voting power varies on certain matters with use by Members of Fund resources.

⁹ These figures do not add to 100% because of rounding.

ANNEX II. BOARD OF GOVERNORS
(As of 31 December 1952)

Member	Governor	Alternate
Australia	Percy Spender	L. G. Melville
Austria	Eugen Margaretha	Franz Stoeger-Marenpach
Belgium	Maurice Frere	Joseph Vanheurck
Bolivia	Franklin Antezana Paz	Vacant
Brazil	Eugenio Gudin	Octavio Paranagua
Burma	U Tin	U Hla Maung
Canada	Douglas Charles Abbott	Graham T. Towers
Ceylon	J. R. Jayawardene	John Exter
Chile	Arturo Maschke	Vacant
China	Chia Kan Yen	Pao-hsu Ho
Colombia	Emilio Toro	Ignacio Copete-Lizarralde
Costa Rica	Angel Coronas	Mario Fernández
Cuba	Joaquin Martinez Saenz	Bernardo Figueredo Antunez
Czechoslovakia	Julius Hajek	Antonin Braidl
Denmark	Svend Nielsen	Einar Dige
Dominican Republic	Manuel Ramon Ruiz Tejada	Pedro Pablo Cabral B.
Ecuador	Guillermo Perez-Chiriboga	Hernan Escudero-Moscoso
Egypt	Ahmed Zaki Saad	Mahmoud Saleh El Falaki
El Salvador	Catalino Herrera	Manuel Melendez-Valle
Ethiopia	Jack Bennett	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
Honduras	Marco Antonio Batres	Roberto Ramirez
Iceland	Bjorn Olafsson	Thor Thors
India	Chintaman D. Deshmukh	B. Rama Rau
Iran	Ali-Asghar Nasser	Abbas-Gholi Neysari
Iraq	Ibrahim Shabandar	Abdul-Ghani Al-Dalli
Italy	Giuseppe Pella	Ugo La Malfa
Japan	Hayato Ikeda	Hisato Ichimada
Jordan	Yusuf Haikal	Omar Dajany
Lebanon	Andre Tueni	Farid Solh
Luxembourg	Pierre Dupong	Hugues Le Gallais
Mexico	Ramon Beteta	Carlos Novoa
Netherlands	M. W. Holtrop	E. van Lennep
Nicaragua	Guillermo Sevilla-Sacasa	Leon DeBayle
Norway	Gunnar Jahn	Christian Brinch
Pakistan	Mohammad Ali	M. A. Mozaffar
Panama	Roberto Heurtematte	Jose D. Crespo
Paraguay	Juan R. Chaves	Hermógenes Gonzalez Maya
Peru	Clemente de Althaus	Emilio G. Barreto
Philippines	Miguel Cuaderno	Emilio Abello
Sweden	M. H. Lemne	T. L. Hammarskjöld
Syria	Izzat Trabulsi	Awad Barakat
Thailand	Prince Viwat	Kajit Kasemsri
Turkey	Mehmet Izmen	Burhan Ulutan
Union of South Africa	Nicolaas Christiaan Havenga	Daniel Hendrik Steyn
United Kingdom	Richard Austen Butler	George Bolton
United States	John W. Snyder	David K. E. Bruce
Uruguay	Vacant	Vacant
Venezuela	J. J. Gonzalez Gorrondona	Felix Miralles
Yugoslavia	Sergej Kraigher	Isak Sion

Yearbook of the United Nations

ANNEX III. EXECUTIVE BOARD

(As of 31 December 1952)

Executive Director	Alternate	Casting Votes of ¹⁰
Frank A. Southard, Jr. (United States)	John S. Hooker (United States)	United States
Edmund Hall-Patch (United Kingdom)	A. M. Stamp (United Kingdom)	United Kingdom
Beue Tann (China)	Kuo-Hwa Yu (China)	China
Jean de Largentaye (France)	Albert Barraud (France)	France
W. R. Natu (India)	B. R. Shenoy (India)	India
		Casting Votes of ¹⁰
		{ Bolivia
		{ Brazil
		{ Chile
		{ Dominican Republic
Octavio Paranagua (Brazil)	Charles P. Hargreaves (Brazil)	{ Ecuador
		{ Panama
		{ Paraguay
		{ Peru
		{ Uruguay
		{ "Egypt
		{ Ethiopia
		{ Iran
		{ Iraq
Ahmed Zaki Saad (Egypt)	Albert Mansour (Egypt)	{ Jordan
		{ Lebanon
		{ Pakistan
		{ Philippines
		{ Syria
		{ Colombia
		{ Costa Rica
		{ Cuba
		{ El Salvador
Enrique Delgado (Nicaragua)	Manuel Chavarria (El Salvador)	{ Guatemala
		{ Honduras
		{ Mexico
		{ Nicaragua
		{ Venezuela
Otto Pflleiderer (Fed. Rep. of Germany)	Otto Donner (Fed. Rep. of Germany)	{ "Fed. Rep. of Germany
		{ Yugoslavia
		{ "Austria
		{ Greece
Carlo Gragnani (Italy)	Costa P. Caranicas (Greece)	{ Italy
		{ Turkey
		{ Burma
		{ Ceylon
Takeo Yumoto (Japan)	D. W. Rajapatirana (Ceylon)	{ Japan
		{ Thailand
		{ Denmark
		{ Finland
Alf Kristian Eriksen (Norway)	S. T. G. Akermalm (Sweden)	{ Iceland
		{ Norway
		{ Sweden
		{ Australia
L. G. Melville (Australia)	L. H. E. Bury (Australia)	{ Union of South Africa
Louis Rasminsky (Canada)	G. Neil Perry (Canada)	Canada

¹⁰The votes of Czechoslovakia may not be cast by any Executive Director as that State did not participate in the regular election of Executive Directors.

Executive Director	Alternate	Casting Votes of ¹¹
A. M. de Jong (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 1952)

A. OFFICERS

Managing Director:

Ivar Rooth (Sweden)

Advisors to the Managing Director:

H. L. Dey
A. H. Ebtehaj
Felipe Pazos

Acting Director, European and North American Department:

Jan V. Mladek

Assistant Director:

Ernest Sture

Director, Exchange Restrictions Department:

Irving S. Friedman

Advisor:

Frans A. G. Keesing

Special Advisor:

George Blowers

Special Adviser:

Eivind Eriksen

Director, Latin American, Middle Eastern and Par Eastern Department:

George F. Luthringer

Assistant Director:

William H. Taylor

Advisors:

Anwar I. Qureshi
Paul Brand

General Counsel:

Andre van Campenhout

Assistant General Counsels:

Richard Brenner
Joseph Gold
Ervin P. Hexner

Director, Research Department:

E. M. Bernstein

Deputy Director:

J. J. Polak

Assistant Director:

Walter Gardner

Treasurer:

Frederick W. Gray

Deputy Treasurer:

Y. C. Koo

Comptroller and Assistant Treasurer:

Charles M. Powell

Director, Office of Administration:

Oscar L. Altman

Acting Secretary:

Roman L. Horne

Assistant Secretaries:

Albert C. Frost
Phillip Thorson

Advisor, European Office:

Georges Salle

Chief Editor:

Allan G. B. Fisher

Information Officer:

Jay Reid

Internal Auditor:

George P. Antonoff

Special Representative to the United Nations:

Gordon P. Williams

B. HEADQUARTERS

Address: International Monetary Fund
1818 H. Street, N. W.
Washington 25, D. C.

Cable Address: INTERFUND WASHINGTON

¹¹ The votes of Czechoslovakia may not be cast by any Executive Director as that State did not participate in the regular election of Executive Directors.

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 meeting on 19 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 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 or 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 co-ordinating authority on international health work; that, on request, it should assist governments in strengthening health serv-

ices 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. Organization

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. It instructs the Executive

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.

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 Convention, see Y.U.N., 1951, pp. 920-21.

Board in regard to matters upon which action, study, investigation or report may be considered desirable.

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 into 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 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. The Director-General, in turn, appoints the technical and administrative staff required and supervises the day-to-day work of the Organization in all its many phases.

Panels composed of experts in a wide range of medical and public-health subjects have been established in order to ensure that WHO shall have available, at all times, the latest scientific knowledge for use in planning and carrying out its work. The experts making up these panels 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 1952: Bilharziasis, Biological Standardization, Drugs Liable to Produce Addiction,

Hepatitis, Influenza, International Pharmacopoeia and Pharmaceutical Preparations (also Subcommittee on Non-proprietary Names), Leprosy, Mental Health, Plague, Trachoma, Professional and Technical Education of Medical and Auxiliary Personnel, Venereal Infections and Treponematoses, Joint FAO/WHO Expert Committees on Brucellosis and Nutrition, and a Joint ILO/WHO Expert Committee on Occupational Health.

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 and for the benefit of all countries, both Members and non-members of the Organization.

Regional Organizations have been established to serve the special needs of six areas throughout the world as delineated by the World Health Assembly. Each Regional Organization consists of a Regional Committee, which meets annually and is composed of representatives of all the members in the region, and a Regional Office. Headed by the Regional Director, the Regional Office is responsible for all the projects of assistance to governments in the region. Requests are passed by the Regional Offices to WHO headquarters where they are incorporated into the world-wide programme established in accordance with long-range plans, formulated and revised at intervals by the World Health Assembly.

3. Activities during 1952

During 1952 the membership of the World Health Organization was increased to 82 (79 full Members and three Associate Members) by the addition of the United Kingdom of Libya as a full Member, and Tunisia and the French Protectorate of Morocco as Associate Members.

The fifth World Health Assembly was held in Geneva from 5 to 22 May. Executive Board sessions took place during January and June. Among the decisions of the World Health Assembly was the adoption of a resolution as a result of which WHO is to undertake special measures to control leprosy.

Under the Expanded Programme of technical assistance for economic development, WHO had a balance of \$1,645,527 remaining from 1951. The automatic allocations made during 1952 amounted to \$4,259,313. In addition, a sum amounting to \$1,512,662 from the Retained Contributions Ac-

count, was earmarked for WHO for specific projects approved by the Technical Assistance Board. As a result, WHO had the equivalent of \$5,771,975 available during 1952, in cash or in kind, for activities under the Expanded Programme. Under this Programme, 167 projects were in operation at the end of 1952 as compared with 71 in 1951, while 22 others were completed during the year; 92 agreements were signed with governments for future projects and 220 experts were recruited for field operations. Progress was also made in education and training and 371 fellowships were awarded. A brief outline of the work of WHO during 1952, carried out in accordance with the decisions of the World Health Assembly, is given below.

During the year, the importance of WHO's role as Co-ordinator in international health work greatly increased. Joint projects with the United States Bilateral Organizations for Technical Assistance, such as the Technical Co-operation Administration (TCA), were started in 1952, particularly in the Southeast Asia and Western Pacific Regions. Some of the governments operating the Colombo Plan expressed a desire that WHO should participate in co-ordinating the aid being given under this Plan. The co-ordination of WHO's work with that of other agencies was also furthered by the establishment of an International Co-ordination Committee for Technical Assistance in three countries of the Western Pacific Region and in four out of the six countries in the South East Asia Region. WHO also acted to exercise its responsibility as a co-ordinating authority by appointing area representatives in most of the countries of the Southeast Asia Region to act as a link with the national administrations, other United Nations agencies and bilateral organizations.

An important event during the year was the coming into effect of the International Sanitary Regulations (replacing existing International Sanitary Conventions) which were prepared and are administered by WHO. Of the 89 countries informed of these Regulations, only 25 sent any reservations. On 1 October the Regulations went into effect for 58 Member States (53 without reservations, and five with reservations accepted by the fifth World Health Assembly); six Members are not bound by the Regulations, and the position of fifteen others (including Libya, which may submit reservations up to March 1953) was not defined.

All six WHO Regional Offices were in operation during the year, while the Regional Office for Africa moved from Geneva to Brazzaville

(French Equatorial Africa) in October. Because the African continent presents a special problem because of its size, the lack of communications and outlets to the sea, the large number of languages (of which very few are written) and the diversity of its cultures, the African Regional Office has been established on a pattern slightly different from that of other regional offices. Particular attention is given not only to medicine, but also to cultural anthropology and further, in view of the imperative need for good water supplies, food and shelter, to environmental sanitation.

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.

a. CONTROL OF COMMUNICABLE DISEASES

(1) Malaria

WHO assisted governments with 20 anti-malaria projects in Afghanistan, Burma, Cambodia, the Dominican Republic, China (Taiwan), the French Cameroons, Haiti, India, Indonesia, Iran, Iraq, Lebanon, Liberia, Paraguay, the Philippines, Sarawak, Saudi Arabia, Syria, Vietnam and the Windward Islands, as part of the current world campaign of malaria control, which showed a marked increase in scope in 1952. In many countries, plans were made for large-scale or even nation-wide programmes for malaria control. The plan for India alone aims at giving protection in the course of a few years to an aggregate population of some 200 million. Epidemiological investigations, demonstrations of new techniques and the training of local personnel (either on the spot, or, through fellowships, abroad), which have formed a part of WHO-assisted projects, have facilitated the execution of long-range plans for malaria control and have enabled some countries to make effective use of substantial quantities of supplies granted to them by other international agencies for this purpose. WHO malariologists also assisted as consultants in preparing operations and planning long-term policies.

In many of the countries assisted by WHO, health staff were being trained in malaria control and in some countries, for example in Afghanistan and Iran, national training centres were being set up or expanded with personnel and supplies from WHO.

A new approach was adopted for the malaria pilot project to be undertaken in Liberia at the beginning of 1953. This project is to be combined

with one for yaws control; the personnel of the two projects will work together, from the same headquarters and using the same technique of house-to-house visiting, at least twice a year. A similar approach was planned for a combined project for the control of bilharziasis and malaria in Syria.

In addition to providing training in field projects, awarding fellowships and travel grants in malariology and giving assistance to malaria institutes and training centres, WHO helped to organize two international malaria courses in 1952, one given in French in Portugal (at Aguas de Moura and Lisbon), the other in English in Lagos, Nigeria. During 1952 WHO staff members lectured on malaria and on WHO's work in malaria control in various institutions throughout the world. As in the previous year, regional malaria advisers closely co-operated in the WHO-assisted projects in three of the Regions (Southeast Asia, the Eastern Mediterranean and the Western Pacific).

Close liaison was maintained with UNICEF, which allocated large sums of money for malaria control in the Southeast Asia Region, in the Americas and, more recently, in the Eastern Mediterranean Region and in Africa. A joint WHO/UNICEF team, accompanied by a representative of the French Government, studied malaria in the Cameroons and Togoland under French administration and French West Africa, and assisted in drafting plans of operations for the international aid requested for its control.

(2) Tuberculosis

WHO's field work on tuberculosis has consisted largely in helping to establish demonstration and training centres. At the beginning of 1952 such centres were operating in Burma, Ceylon, Ecuador, El Salvador, India (Delhi and Trivandrum), Jamaica, Pakistan, Thailand and Turkey. During the year the projects in El Salvador and Turkey were terminated and new projects were started in Egypt, India (Patna), Indonesia and Syria.

Experience of these projects in 1952 confirmed the belief that many of the control measures and techniques used in the more developed countries cannot be successfully transplanted to other parts of the world, and that WHO's objective in the control of tuberculosis must be to assist each country to find the methods most suited to its own particular conditions, to demonstrate these methods and to train its national personnel accordingly.

Mass vaccination programmes with BCG were carried out or planned in Aden, Burma, Cambodia,

China (Taiwan), Costa Rica, Egypt, El Salvador, Hong Kong, India, Indonesia, Iran, Iraq, Jamaica, Pakistan, the Philippines, Thailand, Trinidad and Vietnam, whenever possible in close connexion with the tuberculosis-control projects. In these programmes governments were assisted by WHO and UNICEF jointly, the latter providing equipment and supplies and reimbursing WHO for the cost of certain personnel.

A conference of WHO tuberculosis experts was held at the Eastern Mediterranean Regional Office from 20 to 30 November. It was attended by representatives from all the six Regions except Africa, by team leaders and staff from field projects in Burma, Egypt, India, Iraq, Pakistan, Sarawak, Syria and Thailand, and by representatives from headquarters and from the Tuberculosis Research Office in Copenhagen.

In 1952 WHO granted both regional and inter-regional fellowships in tuberculosis, and many were awarded for work in connexion with WHO-assisted projects.

Following the signing, on 5 December 1951, of an agreement between the Danish Government and WHO for the establishment of a tuberculosis immunization research centre in Copenhagen, steps were taken to set up a supervisory committee, composed of two representatives from each of the co-operating parties, and the Director of the Centre as secretary, and to construct a laboratory unit of five rooms within the Statens Serum-institut, at a cost of approximately \$40,000. WHO bought \$20,000 worth of equipment for this laboratory, which started work in October 1952.

When the International Tuberculosis Campaign ended in June 1951, a total of 38 million children and adolescents had been tuberculin-tested and 18 million non-reactors vaccinated with BCG. This offered a unique opportunity for the worldwide collection of facts on tuberculin sensitivity.

At the outset of the campaign the responsible officials realized that the collection of statistical material and its preparation for publication could best be directed from a central office. This was one of the first responsibilities assumed by the Tuberculosis Research Office when it came into being early in 1949. By the end of 1952 nine reports on individual countries had been published—seven of them during the year—and two more were nearly ready for press.

(3) Venereal Diseases and Treponematoses

During 1952 progress continued in many areas in the control of venereal infections, particularly syphilis and gonorrhoea, and the reservoirs of non-venereal treponematoses, notably non-venereal

endemic syphilis and yaws, were appreciably reduced. In the more developed areas, where antibiotic therapy is widely used, the incidence of syphilis and gonorrhoea appeared to be declining even more rapidly, while the efforts of health administrations to reduce the incidence of the non-venereal treponematoses were producing demonstrable results.

Projects for the control of non-venereal treponematoses were carried on during the year with the support of UNICEF. Projects for the control of yaws were continued in Haiti, Indonesia, the Philippines and Thailand, and new projects of the same type were started in Laos and South India. Projects for the control of bejel in Iraq and of non-venereal endemic syphilis in Yugoslavia reached the stage at which international assistance became less necessary. In the six larger mass campaigns against non-venereal treponematoses, approximately six million persons had been examined and two million treated with penicillin from the beginning of the programmes to July 1952.

WHO, in collaboration with the Government of Thailand, sponsored the first international symposium on yaws control, which was held in Bangkok from 14 to 30 March. At this meeting workers from over 30 countries discussed common problems.

In work on venereal infections, control projects to which WHO contributed advisers continued throughout the year in Afghanistan, Burma, Ceylon, Ecuador, Egypt, Guatemala and Paraguay, and new projects were started in Ethiopia, India, Iran, Pakistan, Saudi Arabia and Turkey. Of these, three were joint projects in venereal diseases and maternal and child health.

WHO continued with its special work in the control of venereal diseases among seafarers. In the port demonstration project at Rotterdam, study groups collected information and discussed various phases of maritime venereal-disease control. The international Anti-Venereal-Disease Commission of the Rhine, meeting again in 1952, called for continued co-operation by the countries bordering on this river. Two more Member States—Israel and Japan—adhered to the Brussels Agreement of 1924 to provide adequate treatment facilities for seafarers.

Two monographs on treponemal-disease control, and several articles written by members of the WHO Expert Advisory Panel on Venereal Infections and Treponematoses, were prepared in 1952 and published in the WHO Bulletin.

(4) Virus and Rickettsial Diseases

In 1952 WHO co-ordinated and promoted research on the incidence and manner of spread of virus diseases and immunological characteristics of prevalent viruses.

Since many virus diseases present common problems, WHO decided to combine several of the expert advisory panels on individual diseases into a single Expert Advisory Panel on Virus Diseases.

The Expert Committee on Influenza, at its first session in Geneva in September, considered the epidemiology of the disease, influenza vaccines, diagnostic procedures, the control of epidemics, and therapeutic measures. The Committee expressed the view that further development of the WHO influenza programme might make it possible to forecast epidemics and indicate the type of virus likely to be responsible. This might give time for the preparation of suitable vaccines, which, although still being developed, are considered to be the most promising means of control.

At the end of the year, the WHO-assisted project for the rehabilitation of handicapped children in Japan was being expanded to include the treatment of victims of poliomyelitis.

In 1952 smallpox control was added to the project for the control of ankylostomiasis in Paraguay and to the diphtheria-pertussis immunization programme in Colombia.

The Expert Committee on Trachoma met in Geneva from 3 to 8 March and studied the possibility of mass treatment with antibiotics (aureomycin, terramycin) and sulfonamides.

Pilot projects were started in China (Taiwan) and were planned for the French Protectorate of Morocco, and Tunisia, with supplies and equipment provided by UNICEF.

WHO and UNICEF continued to assist the Governments of Bolivia and Peru with projects to control typhus through the use of DDT dusting powder, and the campaign begun in 1950 in Afghanistan was extended.

The Expert Committee on Hepatitis held its first session in Liege, Belgium, in July, following the international conference on the same subject held by the International Society of Geographical Pathology. The Committee considered especially the virology, epidemiology and public-health aspects of infectious and serum hepatitis. It called attention to the need for more information on their incidence, the increasing importance of serum hepatitis, and the dangers attending transfusions of pooled plasma.

The Institute of Hygiene and Bacteriology of the University of Strasbourg and the Instituto de Medicina Tropical, Lisbon, were both approved for the carrying out of sero-protection tests required for the international certification of immunity against yellow fever. It was also arranged for an appropriate quantity of seed vaccine from the Rocky Mountain Laboratory of Hamilton, Montana, United States, to be supplied, free of charge, to the Central Research Institute at Kasauli, East Punjab, India, where yellow-fever vaccine is to be manufactured. Insect control projects, with particular attention to *Aedes aegypti*, have been carried on with continued assistance from WHO and UNICEF in nine countries in Central America and the Caribbean area. In Costa Rica and Ecuador combined projects for insect control and yellow-fever vaccination proceeded regularly.

(5) Bacterial and Parasitic Diseases

At a conference of heads of laboratories producing diphtheria and pertussis prophylactics, held in Yugoslavia in October, the biological products currently available were reviewed and their relative advantages discussed.

Combined immunization programmes were continued in several South American countries with technical advice from WHO and financial support from UNICEF, and it was decided to expand the one in Colombia to include smallpox. During the year a diphtheria immunization campaign was begun in Hong Kong, for which WHO gave technical advice to UNICEF.

The Philippine Government received help from WHO and UNICEF in producing diphtheria antigens.

In many parts of the world cerebrospinal meningitis has ceased to be a serious problem. In Central Africa, however, each year there are large epidemics with a considerable mortality. An epidemic in the Sudan in 1952 was particularly serious. A consultant was sent to the area, and a small trial of the prophylactic value of sulfonamides and penicillin (PAM) was undertaken.

A WHO team on cholera started to work in an endemic region (in East Pakistan) which many observers believe is a part of the original home of this disease. The team is making a thorough study of the epidemiology of cholera in the area with a view to finding effective and economical control methods by environmental sanitation.

Plague is a serious problem in the Uttar Pradesh, India: epidemics, evidently derived from endemic foci, flare up from time to time, involve wide areas and claim numerous victims. In 1952, an ecologist began to work in this area, with

the object of delimiting the endemic areas and working out plans for effective control and prevention of epidemics.

A meeting of the WHO Expert Committee on Plague, held in Bombay from 5 to 10 December, studied the results of rodent surveys in Africa, examined modern methods of rat control, dealt with bacteriological and immunology problems and investigated the possibility of standardizing procedures for the treatment of plague. A consultant was sent to Indonesia to advise on control measures to be taken before the beginning of the plague season.

The Expert Committee on Leprosy met in November 1952, and dealt with the contagiousness of the various forms of leprosy, prophylaxis by BCG vaccination, control and treatment, the standardization of the lepromin test, and the classification of the disease. At the end of the year a survey was being made by a WHO consultant in Ethiopia.

A field project of bilharziasis control started in Egypt, where field trials with molluscocides were also undertaken. Bilharziasis surveys were conducted in certain countries of the East Mediterranean Region, in several territories in the African Region, and in the Philippines. The WHO Expert Committee on Bilharziasis met in October in Puerto Rico.

(6) Zoonoses

A seminar on the zoonoses, held in Vienna in November and attended by medical and veterinary officials of European countries, was jointly sponsored by FAO and WHO. It dealt with brucellosis, bovine tuberculosis, rabies, Q fever and leptospirosis.

During the year, on behalf of both WHO and FAO, a consultant on meat hygiene surveyed and advised on practices in twelve Latin American countries.

WHO sent consultants to Colombia, Ecuador and Israel to help these countries to develop veterinary public-health units as part of their government health services. Similar advice was also given to Ceylon, Peru, the Philippines, Venezuela and Yugoslavia.

The second session of the Joint FAO/WHO Expert Committee on Brucellosis, held in Florence from 13 to 18 October, reviewed the results of research carried out by FAO/WHO centres and made recommendations on the standardization of laboratory procedures for identifying the *Brucella* species, on diagnosis, and on therapy for human beings and field control for animals.

To co-ordinate research sponsored by WHO and FAO, members of the headquarters staff were sent to Brazil, Greece, Israel, Mexico, Spain, Turkey and Yugoslavia. In close consultation with WHO, FAO veterinary consultants worked and advised on brucellosis and other problems in Burma, Ethiopia, Honduras, Iran, Iraq, Pakistan and Thailand. For two weeks, beginning on 1 December, WHO sponsored a meeting on brucellosis in Santiago, Chile, for medical and veterinary workers of ten South American countries. Through the FAO/WHO brucellosis centre established in Rijeka, Yugoslavia, in 1950 a vigorous campaign was carried out among infected animals in the district. By the end of 1952, brucellosis was eliminated from the animal population and was no longer found in human beings.

The most important item in WHO's work on rabies during the year was its sponsorship of a meeting held from 14 to 28 July in the Institut Pasteur at Coonoor, Southern India. This meeting was attended by 55 medical and veterinary workers in rabies from 23 countries.

Members of the headquarters staff went to Greece, India, Indonesia, Malaya, Mexico, Thailand and Yugoslavia to help these countries in the preparation of vaccines and in field control programmes.

b. MATERNAL AND CHILD HEALTH

During 1952 WHO's work for maternal and child health continued to expand. By the end of the year an adviser on the subject had been appointed to each regional office, except that for Africa. Altogether WHO, either with UNICEF or under the technical assistance programme, assisted governments with 40 different projects in maternal and child health in 1952. Fifteen of these were in Europe, where special projects, carried out jointly by WHO and UNICEF, included assistance to three countries in developing their programmes for the care of premature infants and to five countries in the rehabilitation of physically handicapped children.

WHO sent a short-term consultant to Lebanon and another to Japan to advise the Governments on co-ordinated programmes for the rehabilitation of physically handicapped children.

A meeting of experts was convened jointly by the United Nations and WHO to discuss the mental-health aspects of adoption. WHO also participated in a conference of experts which, at the request of the United Nations, was convened in Geneva by the International Union for Child Welfare to study the problem of adoption.

The reports of the Expert Committee on Maternity Care and of the Joint Expert Committee on the Physically Handicapped Child (convened by WHO with the participation of the United Nations, ILO and UNESCO) were published during the year.

WHO took part in the Technical Working Group on Long-Range Activities for Children, which was established to co-ordinate these activities and dealt with such subjects as child nutrition, the training of auxiliary personnel, and surveys of all services for children in three selected countries.

WHO also continued to co-operate with ILO on matters of common concern, including maternity protection, child labour, and the vocational training and placing in employment of handicapped young people.

c. ENVIRONMENTAL SANITATION

In view of the growing importance of environmental sanitation in its health programme, WHO, at the beginning of 1952, created a Division of Environmental Sanitation. Its programme included: advisory services in municipal and rural sanitation; milk and food sanitation; the control of insects, rodents and other vectors; housing and town planning; environmental aspects of occupational health; and education and training in environmental sanitation.

General sanitation advisers were assigned to Turkey, the Seychelles, Angola and El Salvador and training in sanitation was instituted in Afghanistan and Liberia by WHO staff. Sanitary engineers or sanitarians were assigned to malaria-control units in Burma, Cambodia, Colombia, India, Indonesia, Iran, Iraq, Liberia, Saudi Arabia, China (Taiwan) and Vietnam; to a cholera control project in Pakistan; and to projects for the control of bilharziasis in Syria and the Philippines.

At the end of the year a joint inter-secretariat committee on milk control was organized by WHO, FAO and UNICEF, and was entrusted with the responsibility for drafting a long-term co-operative plan on the technique of milk production, processing and distribution.

The third European seminar of sanitary engineers was organized in London in October in collaboration with the Government of the United Kingdom. The first two such seminars, held at The Hague in 1950 and at Rome in 1951 had already influenced developments in Europe and had led, among other things, to action to establish an international standard of drinking-water and international standard methods of water analysis.

A seminar, attended by representative sanitary engineers from the Central American countries, was held in November at Managua in collaboration with the Government of Nicaragua. Plans were made for organizing a similar meeting in the Eastern Mediterranean Region.

d. MENTAL HEALTH

WHO continued to provide to individual governments consultant services in mental health and short-term consultants visited six countries during 1952.

During the year inter-country activities in mental health were considerably expanded. In collaboration with WHO a seminar on child psychiatry was organized by the Norwegian Government for child guidance workers from the Scandinavian countries. WHO also assisted the World Federation for Mental Health in holding a seminar, at Chichester, England, for WHO Fellows on mental health and infant development, and collaborated in three United Nations seminars on social case-work. Preparations were begun for several mental-health seminars in 1953, including one in South America on alcoholism, one in Europe on the mental-hygiene aspects of public health, one in the Western Pacific Region on the mental-health aspects of paediatrics, and one in the Eastern Mediterranean Region on clinical and social psychiatry.

Two meetings of experts were held during the year: the third session of the Expert Committee on Mental Health which was devoted to a study of the role and organization of the community mental hospital; and the meeting already mentioned, on the mental-health aspects of adoption.

The following WHO reports on mental health were published during the year: the second report of the Alcoholism Sub-Committee of the Expert Committee on Mental Health; the report of the joint WHO/UNESCO expert meeting on mental hygiene in the nursery school, published by UNESCO; and the report of a WHO consultant on Rehabilitation in Psychiatry. WHO also began a review of legislation affecting psychiatric care and a survey of the literature on psychiatric disorders in Africans.

e. SOCIAL AND OCCUPATIONAL HEALTH

At its second session, held in October, the Joint ILO/WHO Committee on Occupational Health suggested practical ways of advancing the health of workers in industry and agriculture by general public-health measures; it drew up plans for comprehensive health services suitable for large and

small industrial establishments and for agricultural enterprises, and considered the methods by which labour and public-health authorities could co-operate to promote such services.

WHO also sponsored a European seminar on occupational health at Leyden, the Netherlands, which considered ways in which ministries of health, ministries of labour, social security institutions and other agencies might work together to promote the health of workers. Advisers were sent to Egypt, Finland, Iran, Turkey and Yugoslavia to assist in the general organization of government supervisory services for occupational health.

During September and October a training course for rehabilitation workers in eight European countries, sponsored by WHO, the United Nations and ILO, was held in Scandinavia, emphasis being given to the various practical methods by which medical, vocational, educational and social-welfare agencies can work together for the rehabilitation of the handicapped. WHO provided a consultant for a team which conducted a survey of Latin American countries with a view to organizing a rehabilitation demonstration centre, and gave assistance to India and Israel in the organization of training centres for physiotherapists. Projects for rehabilitation centres in Lebanon, Yugoslavia and other countries were in various stages of development at the end of the year.

A consultant on the organization of hospital services went to Egypt; a training course for hospital-records librarians was organized in Peru; a consultant hospital architect was sent to Vietnam; and a specialist went to Ceylon to advise on the administration of a system of drugs and supplies for the whole country.

The organization helped with the training of many groups of students sent to Geneva with United Nations fellowships in social work; it gave technical advice on several United Nations training projects in social welfare, such as those in Iraq and Pakistan; and it provided a medical consultant to Burma for a nation-wide survey of social welfare begun by the United Nations.

WHO gave advice to Ceylon and Lebanon and is sending a consultant to assist in the reorganization of all medico-legal services in the former country. Advice on physiological and mental standards for drivers was provided to the Economic Commission for Europe, in connexion with work on the prevention of road accidents.

f. NUTRITION

The report published in 1951 on the survey of kwashiorkor carried out by WHO and FAO in

Africa received wide recognition. During 1952 surveys of the same kind were made in Central America and Brazil, and demonstrated the extent of the problem in the countries surveyed.

WHO, in co-operation with FAO and UNICEF, began developing schemes in French Equatorial Africa, the Belgian Congo and Ruanda-Urundi for both immediate and long-term preventive measures against malnutrition.

The study of how the nutritional level of population groups can be assessed, a question considered by the joint FAO/WHO Expert Committee on Nutrition in 1951, was continued.

At the request of the Chief Medical Officer of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWAPRNE), representatives of WHO and FAO visited the Eastern Mediterranean Region, where they made a third survey of the state of nutrition and diet of the Arab refugees.

g. HEALTH EDUCATION OF THE PUBLIC

During 1952 a professor of health education was sent on a two-year assignment to the University of Malaya, Singapore, where medical officers, nurses, sanitarians and teachers-in-training are being instructed in health education. A health educator was also appointed to assist in training elementary school-teachers at Bau Lintang Training College in Kuching, Sarawak, and to advise the Government on the development of its health-education programme.

In co-operation with UNESCO and other specialized agencies, WHO continued to help countries with programmes in fundamental education, among them the Regional Centre for Fundamental Education in Latin America in Patzcuaro, Mexico, and another established in Egypt to serve the Arab countries of the Eastern Mediterranean Region.

Special short-term consultants were employed by the regional offices for the Americas and for Europe to assist in planning the regional conferences in health education proposed for these Regions in 1953; twenty countries were visited for preliminary discussions.

A headquarters staff member was assigned to UNRWAPRNE for two and a half months, to help in evaluating the existing services and in planning an expanded programme of health education for the Arab refugees. This assignment led to a request from UNRWAPRNE for assistance with a two-year health-education training programme as a part of its plans for rehabilitating the refugees.

Through the services of regional or headquarters consultants, eight countries in three Regions were helped to evaluate their health-education programmes and prepare plans for future developments. Health educators were stationed in four countries to advise governments and assist in developing country-wide programmes.

WHO helped the Egyptian Government in the publication of Health Education Pilot Project in Three Villages in Egypt, an account of health education in connexion with the work of a venereal-disease control team in Tanta. Material was also supplied for a complete issue of the UNESCO Quarterly Bulletin of Fundamental Education published during 1952.

b. NURSING

Seventeen nursing projects, started in 1950 and 1951, were continued during 1952; 22 new programmes were begun, and twelve others were planned for 1953. Altogether, 97 nurses were in the field. WHO advised and helped to widen the scope of national nursing programmes so as to include health education in the community as well as nursing care in hospitals and homes. Assistance both in nursing and in maternal and child health was given to midwifery schools and, where local circumstances called for it, midwifery was included in the education of the nurse. To prepare teachers of nursing and midwifery, WHO helped with intensive training courses carried out as an extension of school projects, as well as through the WHO fellowship programme.

A working conference on nursing education, convened by WHO in Geneva in March, brought together directors of nursing schools from ten countries, who, with the assistance of a social scientist, a hospital administrator and an expert in education, developed a system for nursing education based on experience in the hospital and the home. Conferences in South America and the Western Pacific Region during 1952 extended knowledge both of the function of nursing services in the control of communicable diseases and of the use and production of teaching aids for nursing.

With the assistance of a grant from WHO, the International Council of Nurses made an international study of facilities for training nurse teachers; this study will be available for distribution during 1953.

i. EDUCATION AND TRAINING

The Expert Committee on Professional and Technical Education of Medical and Auxiliary

Personnel held its second session in Nancy, France, from 3 to 9 December and studied the problem of integrating preventive and social aspects of medicine into the medical curriculum.

The development of this type of medical teaching was further considered at the European Study Conference on Undergraduate Training in Hygiene, Preventive Medicine and Social Medicine, also held at Nancy.

The problem of training auxiliary personnel received much attention in 1952, mainly in countries concentrating on a rapid development of their health services. Consultations on this problem were held with the authorities of several countries in the Southeast Asia and Western Pacific Regions, with the United Nations Department of Social Affairs and with UNICEF.

(1) Fellowships

During the year 1952, a total of 1,147 awards were made as against 662 for 1951 and an average of 342 for the five-year period 1947-51. Of the awards in 1952, 723 (or 63 per cent) were financed from the regular budget of WHO, 53 (or 5 per cent), were UNICEF fellowships administered by WHO and 371 (or 32 per cent, compared with 13 per cent in 1951) were financed with funds from the Expanded Programme of technical assistance.

(2) Exchange of Scientific Information

A visiting team of medical scientists (similar to the "medical teaching missions" that visited Israel and Iran in 1951) worked for two months in the Southeast Asia Region, mainly in Burma and Ceylon, and also spent several days in Calcutta. An inter-regional symposium on yaws control was held in Thailand.

Much scientific information on educational and research institutions—their teaching staffs, activities, special interests—was collected throughout 1952, and WHO started to compile, in particular, a file of catalogues and bulletins of the medical and public-health schools of the world, and another of national medical scientific societies of all countries.

j. EPIDEMIOLOGICAL AND STATISTICAL SERVICES

In 1952 no serious epidemic of quarantinable disease was recorded. During the first nine months of the year—up to the time of entry-into-force of the International Sanitary Regulations—WHO dealt with eleven disputes concerning the administration of the International Sanitary Conventions.

Information on the prevalence of some 40 communicable diseases in about 200 countries and territories was analysed and recorded. This information is extracted from approximately 6,800 reports received at weekly, ten-day, fort-nightly or quarterly intervals at headquarters. Additional information on major epidemics is received by cable and airmail, but no information is received from seven countries in Europe, five in the Americas, five in Asia and three in Africa.

Epidemiological intelligence is diffused over a world-wide system of radio broadcasts. Daily bulletins are transmitted which contain information on quarantinable diseases in ports and airports, quarantine measures and items relating to the prevalence of other communicable diseases of interest to international traffic.

The Weekly Epidemiological Record continued to appear regularly. It contains notifications made under international sanitary legislation and other information of value in international traffic. A total of 580 "Epidemiological Notes" on outbreaks of infectious diseases (chiefly cerebrospinal meningitis, influenza and poliomyelitis) have also appeared in this publication.

The results of work in health statistics were, for the most part, published in the Epidemiological and Vital Statistics Report, in which the following material appeared during the year: a fourth study on the "Evolution of Mortality in Europe during the Twentieth Century", dealing with cancer mortality and also including data on eight non-European countries; a "Study of the Influence of the Decline of Mortality on Growth of Population"; an article on "Prevalence of Leprosy in the World"; a study on "Natality, General Mortality, Infant and Neonatal Mortality in 1951"; statistical information on "Deaths by Cause, Sex and Age in Europe and in some non-European Countries". The Report also contained seven studies devoted to the epidemiology, prevalence and geographical distribution of cerebrospinal meningitis, cholera, diphtheria, measles, pertussis, poliomyelitis and scarlet fever, as well as 28 statistical tables giving the number of cases of, and deaths (by four-week periods or by months) from 21 quarantinable and non-quarantinable diseases.

A regional seminar and teaching course on vital and health statistics, sponsored jointly by WHO, the United Nations and the Government of Japan, was held in Tokyo from 4 August to 20 September.

WHO participated in the international seminar on statistical organization held in Ottawa in

October for the discussion of national statistical problems and suitable ways for improving national statistics. It co-operated with the United Nations at the first session held at Geneva in November of a Preparatory Committee for the World Population Conference to be sponsored by the United Nations in 1954

k. BIOLOGICAL STANDARDIZATION

In 1952, 30 years after the adoption of the first international biological standard, there were 50 such standards and those in preparation would bring the number to 88. Out of 34 standards in 1945, only one was designed for diagnostic purposes, but the number of diagnostic standards has since been increasing so rapidly that they will represent nearly one-third of the 88 biological standards soon to be available.

i. DRUGS LIABLE TO PRODUCE ADDICTION

In January 1952 the Expert Committee on Drugs Liable to Produce Addiction held its third session in Geneva.

The inquiry on the use of and need for diacetylmorphine (heroin) proceeded during the year. By the end of the year, 53 Member States had declared themselves in favour of abolition of this drug and nine against.

Close collaboration with the Permanent Central Opium Board and the Drug Supervisory Body of the United Nations was maintained during the year, and advice was given on many questions.

Advice was also given to the Libyan Government on the testing of hashish preparations.

m. PHARMACEUTICAL STANDARDS AND NOMENCLATURE

Since the publication, in English and French, of Volume I of the first edition of the Pharmacopoea Internationalis at the end of 1951, WHO has concentrated much of its attention on the preparation of Volume II

Monographs prepared for Volume II deal with a number of antibiotics (benzylpenicillin, streptomycin, dihydrostreptomycin, aureomycin, chloramphenicol and terramycin), with biological preparations (including preparations of insulin) and with compressed tablets, injectable solutions, tinctures, and new synthetic organic chemicals. A total of 196 monographs and nine appendices were in proof at the end of 1952, and texts for 26 other monographs and eighteen appendices were in course of preparation.

A number of States and national pharmacopoeia commissions have already announced their inten-

tion of including the provisions of the Pharmacopoea Internationalis, either in whole or in part, in their official pharmacopoeias, and one Member is adopting it as its official pharmacopoeia.

Work was continued on the selection and introduction of international non-proprietary names for new therapeutic substances.

In the course of the year, 139 names for new drugs were selected.

n. LIBRARY SERVICE

The WHO Library Service was re-organized and a reading room established containing 7,000 reference works, standard textbooks, monographs and bound volumes of the most important periodicals, as well as current numbers of 1,000 periodicals. The WHO Library was reclassified on the Barnard system. The Library ordered 5,977 items of medical literature for governments, health institutions and field teams.

o. PUBLICATIONS

During 1953 WHO continued to issue its regular publications, including The Bulletin of the World Health Organization, The Chronicle of the World Health Organization, the Monograph Series, and the Technical Report Series. In addition, WHO published the International Digest of Health Legislation, The publication of Official Records was continued and a special volume, issued as Official Records No. 37, contains the proceedings of the Special Committee on the International Sanitary Regulations. A Handbook of Resolutions and Decisions of the World Health Assembly and Executive Board was also published and used for the first time at the Fifth World Health Assembly.

4. Budget

The fourth World Health Assembly approved the 1952 budget at \$9,077,782, giving an effective working budget of \$7,677,782 to be financed by casual income available for 1952 and assessments against active members. Supplemental estimates of \$30,000 for 1952 to replace in the Working Capital Fund the sum withdrawn for emergency relief to India were approved by the fifth World Health Assembly. The fifth World Health Assembly also approved the withdrawal from the Working Capital Fund of an amount not to exceed \$104,550 in 1952 to increase the Building Fund and authorized the Director-General to reimburse the Working Capital Fund to the above extent from any savings realized in the 1952 Budget.

For 1953 a budget of \$9,832,754 was approved by the fifth World Health Assembly under the various appropriation parts and sections. The Executive Board at its eleventh session approved certain transfers between sections of the appropriation resolution which are reflected in the details given below. Notwithstanding this approval, the Director-General was instructed to limit the obligations to be incurred to parts I, II and III of this appropriation, making an effective working budget of \$8,485,095.

PART I: ORGANIZATIONAL MEETINGS

World Health Assembly	\$ 167,300
Executive Board and its Committees	85,950

TOTAL — PART I 296,650

PART II: OPERATING PROGRAMME

Advisory services	4,389,661
Regional Offices	1,105,595
Expert Committees and Conferences	184,178

TOTAL— PART II 7,180,593

PART III: ADMINISTRATIVE SERVICES

Administrative Services	1,007,852
-----------------------------------	-----------

TOTAL PART III 1,007,852

SUB-TOTAL—PARTS I, II AND III 8,485,095

PART IV: RESERVE 1,347,659

TOTAL— PART IV 1,347,659

TOTAL \$9,832,754

Assessments of contributions of Members to this budget, after deduction of available amounts are shown in the following table (in U.S. dollars).

Member	Figures in this column represent the number of units after adjustment of USA participation to 33-1/3 per cent	Contributions as adjusted
A. ACTIVE MEMBER		
Afghanistan	6	\$ 4,201
Argentina	222	155,432
Australia	236	158,723
Austria	17	11,903
Belgium	162	113,423
Bolivia	10	7,002
Brazil	222	155,432
Burma	6	4,201
Cambodia	5	3,501
Canada	384	268,854
Ceylon	5	3,501
Chile	54	37,807

Figures in this column represent the number of units after adjustment of USA participation to 33-1/3 per cent

Member	Figures in this column represent the number of units after adjustment of USA participation to 33-1/3 per cent	Contributions as adjusted
Costa Rica	5	3,501
Cuba	35	24,505
Denmark	95	66,513
Dominican Republic	6	4,201
Ecuador	6	4,201
Egypt	95	66,513
El Salvador	6	4,201
Ethiopia	10	7,002
Finland	17	11,903
France	720	504,102
Germany	387	270,955
Greece	20	14,002
Guatemala	6	4,201
Haiti	5	3,501
Honduras	5	3,501
Iceland	5	3,476
India	390	273,055
Indonesia	40	28,006
Iran	54	37,807
Iraq	20	14,002
Ireland	43	30,106
Israel	14	9,802
Italy	252	176,436
Japan	214	149,830
Jordan	5	3,501
Korea, Rep. of	5	3,501
Laos	5	3,501
Lebanon	7	4,901
Liberia	5	3,501
Libya	5	3,501
Mexico	76	53,211
Morocco, French Protectorate	3	2,101
Netherlands	168	117,623
New Zealand	60	37,735
Nicaragua	5	3,501
Norway	60	42,008
Pakistan	84	58,812
Panama	6	4,201
Paraguay	5	3,501
Peru	24	16,803
Philippines	35	24,505
Portugal	47	32,907
Saudi Arabia	10	7,002
Southern Rhodesia	3	2,101
Spain	132	92,418
Sweden	245	139,544
Switzerland	120	84,017
Syria	14	9,802
Thailand	32	22,404
Tunisia	3	2,101
Turkey	109	76,315
Union of South Africa	134	93,819
United Kingdom	1,378	964,796
United States	4,306	2,993,400
Uruguay	22	15,403
Venezuela	32	22,404
Vietnam	25	17,504
Yugoslavia	40	28,006
TOTAL— A	11,000	\$7,637,329

Member	Figures in this column represent the number of units after adjustment of USA participation to 33-1/3 per cent		Contributions as adjusted	Member	Figures in this column represent the number of units after adjustment of USA participation to 33-1/3 per cent		Contributions as adjusted
B. INACTIVE MEMBERS							
Albania	5		3,501	Poland	114		79,816
Bulgaria	17		11,903	Romania	42		29,406
Byelorussian SSR	26		18,203	Ukrainian SSR	101		70,714
China	720		504,102	USSR	761		532,808
Czechoslovakia	108		75,615	TOTAL—B	1,918		\$1,342,871
Hungary	24		16,803	GRAND TOTAL	12,918		8,980,200

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS (As of 31 December 1952)

A. MEMBERS OF WHO

Afghanistan	Germany,	Nicaragua
Albania ⁵	Fed. Rep. of	Norway
Argentina	Greece	Pakistan
Australia	Guatemala	Panama
Austria	Haiti	Paraguay
Belgium	Honduras	Peru
Bolivia	Hungary ⁵	Philippines
Brazil	Iceland	Poland ⁵
Bulgaria ⁵	India	Portugal
Burma	Indonesia	Romania ⁵
Byelorussian SSR ⁵	Iran	Saudi Arabia
Cambodia	Iraq	Spain
Canada	Ireland	Sweden
Ceylon	Israel	Switzerland
Chile	Italy	Syria
China ⁵	Japan	Thailand
Costa Rica	Jordan	Turkey
Cuba	Korea, Rep. of	Ukrainian SSR ⁵
Czechoslovakia ⁵	Laos	Union of
Denmark	Lebanon	South Africa
Dominican	Liberia	USSR ⁵
Republic	Libya, United	United Kingdom
Ecuador	Kingdom of	United States
Egypt	Luxembourg	Uruguay
El Salvador	Mexico	Venezuela
Ethiopia	Monaco	Vietnam
Finland	Netherlands	Yugoslavia
France	New Zealand	

Associate Members

Morocco, French Protectorate	Southern Rhodesia
Tunisia	

B. EXECUTIVE BOARD

Members	Designated by
M. Jafar (Chairman)	Pakistan
G. A. Canaperia (Vice-Chairman)	Italy
A. H. Taba ⁶ (Vice-Chairman)	Iran
G. Alivisatos	Greece
J. Allwood-Paredes	El Salvador
O. Andersen	Denmark
C. van den Berg	Belgium
A. L. Bravo	Chile
S. Daengsvang	Thailand
M. J. Ferreira	Brazil
S. Hayek	Lebanon
F. Hurtado	Cuba

O. Leroux	Canada
Melville D. Mackenzie	United Kingdom
J. Parisot	France
J. N. Togba	Liberia
H. B. Turbott	New Zealand
W. G. Wickremesinghe	Ceylon

C. SENIOR OFFICERS OF THE SECRETARIAT

Director-General:

Brock Chisholm (Canada)

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

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

⁵ 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.

⁶ Relinquished his place on the Board on his appointment to the staff of WHO on 5 August 1952.

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: UNSANTE NEW YORK

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, Harding Avenue
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
Colon Office, 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

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, post-cards and printed matter) addressed to any part of the territory of the Postal Union, the Berne

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,

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 1952. These congresses drew up the Acts by which the functions of the Union are 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, samples, commercial papers, small parcels and phonopost articles (for example, phonograph records);

(2) seven accessory agreements covering insured letters and boxes, parcel post, cash-on-delivery articles, money orders, collection orders, transfers to and from postal cheque accounts and subscriptions to newspapers and periodicals. (Special provisions annexed to the main Convention and the parcel post agreement govern the optional transport of these articles by air. Similarly, a supplement to the money order agreement regulates the optional exchange of travellers' orders.)

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 therefore 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.

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 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 fixes the place of meeting of the following Congress, which 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

² For texts of the Universal Postal Convention of Paris, 1947, the Final Protocol of the Convention and the Agreement between the United Nations and UPU, see Y.U.N., 1947-48, pp. 893-908. The revised Universal Postal Convention of Brussels, 1952, will enter into force on 1 July 1953.

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 usually holds one session a year; it meets normally 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.³

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 1952

With the admission of Laos and Libya by the 13th Universal Postal Congress, the membership of UPU increased to 93, excluding Germany, which is temporarily prevented by the Paris Convention of 1947 from adhering to 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.

The most important event of the year was the meeting in Brussels of the 13th Universal Postal Congress from 14 May to 11 July, at which 91 of the Members of the Union were represented by plenipotentiaries. The principal tasks before the Congress were to amend the Universal Postal Convention of 1947, to receive the report of the Executive and Liaison Committee covering the activities of the Union since 1947 and to fix a budget ceiling for the next five years. It was provided that the Acts, signed at Brussels on 11 July 1952, would enter into force on 1 July 1953.

For the first time in the history of the Union, the Congress used a system of simultaneous interpretation. It was decided that English, Spanish and Russian as well as French might be used at future congresses, conferences, etc., and that the use of other languages would be permitted on request under certain conditions. French, however, was to remain the only official language of the Union.

Slightly over 1,700 proposals were submitted to the Congress by States Members of the Union. The following are some of the principal decisions taken by the Congress.

It increased the membership of the Executive and Liaison Committee from nineteen to twenty and stipulated that the Committee should be designated by the Congress on the basis of equitable geographical distribution. The Committee was empowered to submit to the Congress proposals resulting from studies undertaken by it on request of the Congress or resulting from its own activities. It was also empowered to examine, at the request of the originating country, any proposal transmitted to the International Bureau and to prepare comments on it which would be submitted with the proposal to Member Administrations by the Bureau. The Congress also re-elected the new members of the Committee.⁴

As regards the finances of the Union, the Congress decided to raise from 600,000 gold francs (of which 100,000 gold francs were for the Executive and Liaison Committee) to 1,300,000 gold francs the budgetary limit for the ordinary expenses of the Union. The change was to take effect on the date of the entry into force of the Brussels Convention (that is, on 1 July 1953). The two figures are, however, not comparable since the greater part of the rise in ordinary expenses is explained by the fact that

³ For functions assigned to the Committee by the Brussels Convention, see "Activities during 1952".

⁴ For members see Annex B.

in the future a large part of the expenses hitherto classed as "extraordinary expenses" will come under the heading of "ordinary expenses".

Since the Union has been in existence for more than three quarters of a century and the successive Postal Congresses have introduced in its Acts those improvements found to be necessary or desirable, the only changes remaining to be made are of a technical character. In this respect two important decisions were taken by the Brussels Congress involving (1) transit rates for surface mail and (2) the basic rates for airmail.

Under the 1947 and previous Conventions, different transit rates, that is, the rates paid by the Administrations of origin for the carriage of mail by intermediate Administrations, were applicable to letters and postcards and to other objects of correspondence. The Brussels Congress adopted a uniform scale of transit rates applicable to all objects of correspondence. It also adopted a more detailed scale of distances, with the corresponding transit rates, for both land and sea carriage.

As regards airmail rates, which had been the subject of extensive discussions and studies between the Union, the International Civil Aviation Organization (ICAO) and the International Air Transport Association (IATA), the Congress took the following decisions after considerable discussion. It decided:

(1) that the maximum rate for the carriage of LC (letters and postcards) and assimilated objects of correspondence, such as money-orders, etc., should be fixed at three gold francs per ton-kilometre; (2) that this uniform rate would be increased to a maximum of four gold francs per ton-kilometre, for LC mail carried by air services for which the rate applied on 1 July 1952 was higher than three gold francs; (3) for other objects of correspondence, the maximum rate was fixed at 1.25 gold francs per ton-kilometre; (4) for periodicals and papers the maximum rate per ton-kilometre was fixed at one gold franc.

The Congress also stipulated that airmail surcharges should be closely related to transportation charges and, as a general rule, receipts from air postage surcharges should not on the whole exceed the cost of carriage of the airmail. It instructed the Executive and Liaison Committee to study airmail rates and report to the next Congress.

The scale of postage rates, units of weight, and weight and size limits for all objects of correspondence adopted by the Congress was, with very few exceptions, the same as that provided in the Paris Convention of 1947; the only significant change concerned the extension of postal franchise to Braille material. Under the provisions of the Final Protocol of the Convention of 1947,

postal administrations were authorized to increase the rates fixed by the Convention by an amount up to 40 per cent or to reduce them by an amount up to 20 per cent. The Final Protocol of the new Convention provided that the rates may be increased by up to 60 per cent or reduced by up to 20 per cent.

The Congress also took the following, among other, decisions. It referred to the Executive and Liaison Committee the problem of the transport of dangerous goods, which had been raised by the United Nations in accordance with Economic and Social Council resolution 379 E (XIII);⁵ it further asked ICAO to study the problem of the transmission by airmail of substances liable to imperil aircraft. It adopted a resolution on the dispatch through the post of perishable biological material, providing for concerted action by the World Health Organization (WHO) and the Union. It referred to the Executive and Liaison Committee the question, raised by the United Nations, of what provisions relating to the shipment of narcotics should be included in the new single narcotics convention and what provisions in the Universal Postal Convention and Arrangements. It also adopted a resolution which, among other things, recognized from the postal point of view the establishment of the United Nations Postal Administration.⁶

Prior to the Congress the Executive and Liaison Committee held its annual meeting at Berne, Switzerland, from 21 to 28 January. Its discussions were concerned principally with the proposals to be presented by the Committee to the Brussels Congress and dealt, among other things, with: a revision of the Acts of Paris concerning parcel post; the textual revision of the Acts of Paris concerning insured letters and boxes; the redraft of the Acts of Paris concerning subscriptions to newspapers and periodicals; proposals for a postal franchise for prisoners and internees; and questions relating to airmail, particularly tariff questions.

The new Executive and Liaison Committee elected by the Congress held its first meeting on 12 July 1952 to elect its officers and fix the date of its next session.

Independently of its specialized activities, the UPU, through the medium of its International Bureau and in accordance with the terms of article 26 of the Universal Postal Convention of Paris, 1947, has served as the organ of liaison, informa-

⁵ See also p. 411.

⁶ See pp. 129-31.

tion and consultation of the countries of the Union. Thus the Bureau published and sent to the Administrations in 1952 a total of 306 circulars, 119 bulletins, 12,009,500 international reply coupons, 155,375 postal identity cards and about 840 proposals for modifications of the Acts of the Union submitted by the Administrations for examination by the Brussels Congress. It also edited, or re-edited, and transmitted to the Administrations the following records, lists, documents, etc.: analytic report of the 1952 session of the Executive and Liaison Committee, general account of transit charges for 1951, general account of international reply coupons for 1951, the report of the work of the International Bureau for 1951, list of heads of Postal Administrations, compilation of addresses of Postal Administrations, record of the organization and internal services of the Administrations, record of postal rates of internal services, statistical summary of postal services for 1950, the review *Union Postale* and seven technical postal studies. In addition, the International Bureau distributed 2,623 kinds of postage stamps and printed and embossed stamps, comprising 2,180 postage stamps of all kinds, 29 blocks, 387 sheets and 27 printed and embossed stamps, bringing to 958,937 the total number of stamps distributed to the Administrations during 1952.

4. Budget

Each Congress fixes the maximum figure for the ordinary annual expenses 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.

Pursuant to the decision of the Paris Congress of 1947, the annual ordinary expenses of the International Bureau must not exceed 500,000 gold francs (equivalent to approximately 714,826 Swiss francs), and those of the Executive and Liaison Committee 100,000 gold francs (equivalent to approximately 142,857 Swiss francs). To these sums must be added the expenses resulting from the special work assigned to the Bureau (see above).

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 in 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 1952, countries were classified as follows for the apportionment of contributions:

1st class: Argentina, Australia, Brazil, Canada, China, France, Germany,⁷ 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 and 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, Korea, Norway, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania

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 1952 were fixed as follows:

⁷ Germany is temporarily prevented from adhering to the Convention and the Agreements of the Union by virtue of Art. XVII of the Final Protocol of the Universal Postal Convention of Paris 1947.

Class of Contribution	Contributory Shares		EXPENDITURE	
	(gold francs)	(Swiss francs)	Ordinary:	Swiss Francs
1st class: 25 units	33,442.50	47,775.00	Personnel	386,707.40
2nd class: 20 units	26,754.00	38,220.00	Premises	34,935.67
3rd class: 15 units	20,065.50	28,665.00	Supplies	271,436.49
4th class: 10 units	13,377.00	19,110.00	Miscellaneous	6,557.10
5th class: 5 units	6,688.50	9,555.00		699,636.66
6th class: 3 units	4,013.10	5,733.00	Expenses of the Executive and Liaison	84,002.44
7th class: 1 unit	1,337.70	1,911.00		
Receipts and expenditures for the year 1952 may be summarized as follows:			Surplus of contributions for 1952 (to be added to the receipts for 1953)	337.84
			Special payment to the Pensions Fund	67,966.55
RECEIPTS			TOTAL ORDINARY EXPENDITURE	851,943.49
Ordinary:		Swiss francs	Extraordinary:	
Sale of documents and other receipts		52,541.82	Special work	553,925.45
Extraordinary:			Brussels Congress	384,421.16
New directory of post offices, advance sale		3,632.44	Technical Transit Committee	15,224.55
Contributions from members (including surplus of contributions for 1950)		1,749,340.39		
TOTAL RECEIPTS		1,805,514.65	TOTAL EXTRAORDINARY EXPENDITURE	953,571.16
			TOTAL OF ORDINARY AND EXTRAORDINARY EXPENDITURE	1,805,514.65

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS (As of 31 December 1952)

A. MEMBERS OF UPU⁸

Afghanistan ⁹	Germany ¹⁰	Poland ⁹	Turkey ⁹
Albania ⁹	Greece ⁹	Portugal ⁹	Ukrainian SSR ⁹
Algeria	Guatemala	Portuguese Colonies of West Africa	Union of South Africa ⁹
Argentina	Haiti	Portuguese Colonies of East Africa, Asia and Oceania	USSR ⁹
Australia ⁹	Honduras	Romania ⁹	United Kingdom ⁹
Austria ⁹	Hungary ⁹	San Marino ⁹	United Kingdom Overseas Colonies, Protectorates and Territories under Trusteeship ⁹
Belgium ⁹	Iceland ⁹	Saudi Arabia	United States ⁹
Belgian Congo ⁹	India ⁹	Spain	United States Possessions
Bolivia	Indonesia ⁹	Spanish Colonies	Uruguay
Brazil	Iran	Spanish Morocco	Vatican City
Bulgaria ⁹	Iraq	Sweden ⁹	Venezuela ⁹
Burma	Ireland ⁹	Switzerland ⁹	Vietnam
Byelorussian SSR ⁹	Israel	Syria	Yemen
Cambodia	Italy ⁹	Thailand	Yugoslavia ⁹
Canada ⁹	Japan ⁹	Tunisia ⁹	
Ceylon	Jordan		
Chile ⁹	Korea, Rep. of		
China ⁹	Laos ¹¹		
Colombia	Lebanon ⁹		
Costa Rica	Liberia		
Cuba	Libya ¹¹		
Czechoslovakia ⁹	Luxembourg ⁹		
Denmark ⁹	Mexico ⁹		
Dominican Republic	Netherlands ⁹		
Ecuador	Netherlands Antilles and Surinam ⁹		
Egypt ⁸	New Zealand ⁹		
El Salvador	Nicaragua		
Ethiopia	Norway ⁹		
Finland ⁹	Pakistan		
France ⁹	Panama		
French Morocco ⁹	Paraguay		
French Overseas Territories and Territories administered as such ⁹	Peru ⁹		
	Philippines ⁹		

⁸ 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.

⁹ These members had deposited their instruments of ratification of the Universal Postal Convention by 31 December 1952.

¹⁰ Germany is temporarily prevented from adhering to the Convention and the Agreements of the Union by virtue of Art. XVII of the Final Protocol of the Universal Postal Convention of Paris 1947.

¹¹ These members had deposited their instruments of accession to the Universal Postal Convention in 1952.

B. OFFICERS AND MEMBERS OF THE EXECUTIVE AND LIAISON COMMITTEE

President: Belgium (E. Pineux)¹²

Vice-Presidents:

- | | |
|------------------|--------------|
| 1. USSR | 3. Australia |
| 2. United States | 4. Egypt |

Secretary-General:

Fritz Hess (Switzerland), Director of the International Bureau

Members:

- | | |
|-----------|-----------------------|
| Brazil | Pakistan |
| Chile | Poland |
| Denmark | Switzerland |
| France | Syria |
| India | Union of South Africa |
| Indonesia | Uruguay |
| Italy | Venezuela |
| Japan | |

C. OFFICERS OF THE INTERNATIONAL BUREAU OF UPU

Director:

Fritz Hess (Switzerland)

Vice-Director:

Fulke R. Radice (United Kingdom)

Counsellors:

F. Deprez (Switzerland)

A. Guillaume (France)

E. Kern (Switzerland)

First-Class 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

¹² Mr. Pineux died in March 1953 and the Presidency was subsequently assumed by J. B. L. Lemmens.

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 intercommunication 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 telecommunications 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 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 Ad-

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. 932-49.

ministrative 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 will remain in force until the end of 1953.

An Agreement established 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 represented 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 main purpose of ITU is:

"to maintain and extend international co-operation for the improvement and rational use of telecommunications".⁴ 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. Organization

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 Consul-

tative Committee (CCIF) and the International Radio Consultative Committee (CCIR).⁶

The supreme organ of the Union is the Plenipotentiary Conference, at which all 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 majority vote.

Administrative Conferences, at which all Members may be represented, meet preferably at the same time and place as the Plenipotentiary Conference. The Administrative Telegraph and Telephone Conference and the 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 may be convened by a decision of the Plenipotentiary Conference, or when at least twenty Members of the Union have made known to the Administrative Council their desire that such a conference shall be held to consider agenda proposed by them, or on the proposal of the Administrative Council. Regional administrative conferences and special international administrative conferences, to deal with special telecommunication questions, are also held.

The Administrative Council is composed of a representative of each of eighteen Members of the ITU elected by the Plenipotentiary Conference.

³ For text of the Agreement, see Y.U.N., 1947-48, pp. 949-54.

⁴ 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".

⁵ For fuller statements on purposes and functions of ITU, see Y.U.N., 1951, p. 943.

⁶ 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.

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.

In the organization decided on at Atlantic City, the General Secretariat succeeds the Bureau of the International Telecommunication Union, which had been located at Berne since 1868; Geneva was chosen by the Atlantic City Plenipotentiary Conference as the new headquarters of ITU, and the General Secretariat was officially transferred there on 26 October 1948. 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; it publishes the recommendations and principal reports of the permanent organs of the Union, international or regional telecommunication agreements, a journal of general information and documentation concerning telecommunication (Telecommunication Journal), general data and other official documents of the Union. The General Secretariat also prepares, for submission to the Administrative Council, an annual budget, and draws up an annual financial operating account.

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 Atlantic City Radio Conference elected the first persons who 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 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,⁷ and issues recommendations on them. The International Telephone Consultative Committee

(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. The CCIR has a vice-director who is a specialist in the technical aspects of broadcasting. Each committee is served by a specialized secretariat and may have the use of a laboratory and of technical installations. In 1952, however, the CCIF was the only consultative committee with a laboratory.

3. Activities during 1952

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, if they were Members of the United Nations or if their applications were approved by two thirds of the Members of ITU, by acceding to the Convention.

During 1952 the Philippines deposited its instruments of ratification of the Convention. This brought up to 69 the number of signatories which had deposited their instruments of ratification with the General Secretariat, which, since 1948, has been the depository of the instruments of ratification and accession. Korea, Laos, Cambodia and the Federal Republic of Germany, which were not included in Annex I, became Members by acceding to the Convention. In addition, British West Africa and British East Africa became Associate Members.

Certain countries or territories listed in Annex I had not ratified or acceded to the Convention 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

⁷As 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".

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 seventh session of the Administrative Council, held from 21 April to 6 June 1952, was devoted mainly to preparation for the Plenipotentiary Conference. It drew up a report for presentation to the Conference, covering the whole field of the activities of the Union since 1947. It decided on ITU participation in the Expanded Programme of technical assistance. In regard to the convocation of the Ordinary Radio Conference, the Council decided that no immediate action was necessary at that time and delayed any further consideration of the matter until its 1953 session. It considered numerous other questions, such as finances, personnel, the activities of the permanent organs of ITU, the relations with the United Nations, the specialized agencies, and other international organizations. An extraordinary session of the Council was held during the Plenipotentiary Conference.

The most important event for the Union in 1952 was the Plenipotentiary Conference which opened at Buenos Aires in October and closed on 22 December. The Conference revised the Atlantic City Convention of 1947 but made no radical change in the organization of the Union as outlined above, apart from proposing that the Plenary Assemblies of the CCIF and the CCIT should study an amalgamation of these two committees. It reaffirmed the decisions of the Extraordinary Administrative Radio Conference (EARC) held at Geneva in 1951, and authorized an increase in the maximum of ordinary expenditure of the Union from 4 million Swiss francs a year fixed at Atlantic City to 6 million Swiss francs for each of the years from 1954 to 1958. It ratified the action taken by the Administrative Council in the matter of participation of the Union in the Expanded Programme of technical assistance. A recommendation to Members and Associate Members "to facilitate the unrestricted transmissions of news by telecommunication services" was adopted. The Convention, as revised at Buenos Aires, will enter into force on 1 January 1954.

a. INTERNATIONAL CONSULTATIVE COMMITTEES

(1) **International Telegraph Consultative Committee (CCIT)**

CCIT studies were carried forward actively in 1952, in view of the VIIth Plenary Meeting of

the CCIT to be held in Arnhem (Netherlands) from 26 May to 14 June 1953.

Two Study Groups (Study Group I and Study Group VI) met in Geneva in October to study telegraph distortion questions and matters relating to the international telegraph vocabulary.

(2) **International Telephone Consultative Committee (CCIF)**

The CCIF Committee for the revision of the "Instructions" met in Geneva from 25 March to 3 April. This meeting was attended, apart from members of the CCIF, by representatives of the following international organizations: International Telegraph Consultative Committee (CCIT), International Conference of Major Electrical Networks (CIGRE), International Union of Producers and Distributors of Electrical Energy (UNPEDE) and International Railway Union (UNIC).

The Committee drew up a new version of the directives for protection of telecommunication lines against the deleterious effect of industrial power lines, by including, in the 1938 edition, all changes made appropriate by technical advances—changes agreed to in principle (from 1938 to 1951) by the CCIF. This document enables telecommunication lines (both telegraph and telephone) and industrial power lines or electrified railway lines to exist in harmony side by side.

The Permanent Maintenance Sub-Committee met in Geneva from 18 to 28 June and drew up a "Programme for the Periodical Maintenance of European International Circuits". This document specifies, for the period from 1 September 1952 to 31 December 1953, for every international circuit in Europe, the days on which electrical measurements have to be effected in order to ensure that the circuit in question is in perfect condition, and in order to make further adjustments if necessary. This programme ensures co-operation between the control station, responsible for transmission over the whole of any particular circuit, and the sub-control stations located in the various countries traversed by the circuit, each sub-control station being called upon to see that the section of the circuit situated within that particular country is accurately adjusted.

At this meeting the Permanent Maintenance Sub-Committee made arrangements for providing each CCIF Plenary Assembly with a general picture of the reliability of service in the European international telephone network. This would be based on a systematic analysis of the breakdown statistics periodically drawn up by the upkeep authorities, and of the statistics for non-utilization

of circuits, periodically prepared by the telephone departments in the various European countries.

The international operating team in the CCIF Laboratory during the year completed a tenth series of experiments during which the commercial telephone systems of the following countries were studied in accordance with a new technique: the Federal Republic of Germany, Belgium, Chile, France, the United Kingdom, Italy, Mexico, Norway, the Netherlands, Sweden, Switzerland and Czechoslovakia. This new technique, known, in French, as that of "affaiblissements équivalents au point de vue de la netteté", provides an accurate picture of the behaviour of telephones and telephone equipment not only from the point of view of the energy transmitted (which was all that had been measured by the old "reference equivalent" technique), but also from that of the clarity of the vocal sounds received (the combined effect, that is, of all those factors which influence the transmission and reception of the human voice in the international telephone service).

The Laboratory also calibrated national calibration systems in relation to the SFERT (European master telephone transmission reference system).

(3) International Radio Consultative Committee (CCIR)

There was no plenary assembly of the CCIR during 1952 (under the Regulations annexed to the Atlantic City Convention the plenary assembly meets every other year, while under the new Buenos Aires Convention it will normally meet every third year), but six of the fourteen study groups met during the year.

Study Groups I, III and VI (concerned, respectively, with radio transmitters, complete radio systems employed by the different services and ionospheric propagation) were engaged primarily on interim reports on CCIR questions considered urgent by the Extraordinary Administrative Radio Conference (EARC) held in 1951. These questions all had a bearing on methods of economizing the use of frequencies in the different radio services. These Study Groups placed special emphasis on the possibilities of reducing the bandwidth occupied by and interference caused to radiotelegraph and radiotelephone services, by the use of suitable coding, specialized equipment and the proper utilization of operating channels.

Study Groups V and XI (concerned, respectively, with tropospheric propagation and television) met immediately before the European Regional Broadcasting Conference in Stockholm, to examine the use of the frequency bands be-

tween 41 and 216 Mc/s (7.3 and 1.4 metres) allotted to television and VHF sound broadcasting. The Study Groups considered and made available to this Conference the latest technical data on propagation of electromagnetic waves in the troposphere and on the ratio of wanted to unwanted signals in television and VHF sound broadcasting.

Study Group X (concerned with broadcasting) met in Geneva in August to prepare an interim report concerning the use of more than one frequency for one broadcast programme to one reception area, a matter considered urgent by the EARC; it also endeavoured to reach agreement on an international standardization of characteristics of recording systems, for both disc and magnetic tape, used in the international exchange of broadcasting programmes. Agreement was reached for disc recording, and near agreement for magnetic tape, although further work was considered necessary.

The specialized secretariat was also engaged during the year in preparing for the VIIth Plenary Assembly of the CCIR due to take place in London during September and October, 1953.

b. PREPARATION OF THE NEW INTERNATIONAL FREQUENCY LIST

Immediately after the EARC, in December 1951, the International Frequency Registration Board (IFRB) began the work of implementing the relevant provisions of the Atlantic City Radio Regulations, together with the provisions relative to procedures and additional tasks set forth in the EARC Agreement which came into force on March 1952.

The Board's immediate task was the preparation of the Master Radio Frequency Record, comprising all frequency assignments in the radio frequency spectrum dealt with in the Atlantic City Frequency Allocation Table.

To this end, the EARC Agreement laid down that the Master Radio Frequency Record should be compiled from the assignments appearing in the plans and lists adopted by the EARC, and from information supplied by Administrations to the IFRB on the current use of frequencies by their various services. In November 1952 the preparation of the Master Radio Frequency Record was completed; it contained particulars of some 200,000 assignments, and was published shortly thereafter through the Secretary-General of the Union, as the first edition of the Radio Frequency Record. The Master Record constitutes

the official record of ITU of all the frequency assignments which Administrations use, or will have to use, for all services. It represents, in short, a compendium of radio-communications of the entire world.

One of the Board's essential duties is to effect, in the Master Record, in accordance with the procedure for notification and recording as defined in article 11 of the Radio Regulations and the EARC Agreement, an orderly recording of frequency assignments made by the different countries of the world, so as to establish the date, purpose and technical characteristics of each assignment with a view to ensuring its formal international recognition. The Board thus keeps this Master Record up to date, and new editions or supplements of the Radio Frequency Record are periodically published, so that Administrations have at their disposal a reference document enabling them to assess the probable use of the radio spectrum.

Programmes were drawn up during the year which, it was planned, would become effective in 1953 for implementing certain specific frequency bands prescribed for the maritime mobile and aeronautical mobile services in the EARC plans, in the bands exclusively reserved for those services between 2,850 and 27,500 kc/s. The co-ordinated action that Administrations will have to take to this end, in consultation with the IFRB, will constitute the first major step in a collective attempt towards the objective of implementing the Atlantic City Frequency Allocation Table.

In connexion with the preparation of draft plans for the high-frequency broadcasting services, the Board assembled, in the latter half of 1952, the requirements supplied by Administrations for their high-frequency broadcasting services. As prescribed by the EARC, these requirements were published in a volume distributed to all Administrations. In the meantime the Board began working on technical standards, based on studies effected by the various broadcasting conferences, which will enable it to embark on the preparation of draft assignment plans.

Preparations were made in 1952 for the assembling and periodical publication in summary form of monitoring data to be supplied by Administrations. The system set up is planned to deal with some half million monitoring observations per year.

c. PUBLICATIONS

During 1952, in addition to the documentation of conferences and meetings held by the

Union, of the seventh session of the Administrative Council, and the Secretary-General's annual report, the General Secretariat issued, generally in separate English, French and Spanish editions, a large number of publications. These included:

Financial Report for 1951; Annual Report to ECOSOC, 1951; General Telegraph Statistics, 1950 & 1951; General Telephone Statistics, 1951; General Radio Statistics, 1951; Table B, second edition; Statement showing the Effect Given by Administrations and Private Operating Agencies to the Optional Provisions of the Telegraph and Telephone Regulations of Paris, 1949; List of International Telegraph Communications Channels (1951-1952); List of Radiolocation Stations, second edition; Alphabetical List of Call Signs, fifteenth edition; Special List of Coast and Ship Stations for Region 2; Special List of Coast and Ship Stations for Region 3; List of Coast and Ship Stations, twenty-second & twenty-third Editions; Table of Optional Facilities, Radio Regulations, 1st series, Green Table; Final Acts of the European Broadcasting Conference, Stockholm, 1952; Volumes I to VII of the Extraordinary Administrative Radio Conference (EARC), Geneva 1951; Preface to the Radio Frequency Record; Radio Frequency Record (First edition combined with Supplement 1) Volume I; List of requirements submitted to the IFRB by the Administrations of their high-frequency broadcasting service; Map of Land Radionavigation Stations, first edition 1951 (atlas in case containing 21 maps); Regional Arrangement concerning Maritime Radio-beacons in the European Area, Region I, Paris 1951. The documents issued by the CCIF were: Recommendations for the Protection of Buried Cables from the Action of Stray Currents from Electric Traction Systems; Volumes III-bis, I-ter and VI of the CCIF Yellow Book; General Trunk Switching Plan in Europe and the Mediterranean Basin; Instructions for Personnel Supervising and Charging Broadcast Relays in the European System; Draft List of Definitions of Essential Telephone Terms. The documents issued by the CCIT were: Revised Documents of the VIth Plenary Assembly of the CCIT, Brussels 1948, Geneva Revision, 1951. The documents issued by the CCIR were: Volume H of the Documents of the VIth Plenary Assembly of the CCIR, Geneva, 1951; Volume III of the CCIR (Minutes of the VIth Plenary Assembly, Geneva, 1951). The ITU also publishes regularly a tri-lingual monthly Telecommunication Journal containing general information and documentation on telecommunication.

4. Budget

The ordinary expenses of the Union 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. These expenses are borne by all Members.

The extraordinary expenses include all expenses pertaining to plenipotentiary conferences, administrative conferences, and meetings of the international consultative committees. They are borne by the 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 Atlantic City Plenipotentiary Conference authorized the Administrative Council to approve, for the period 1949 to 1952, inclusive, annual provisions for ordinary expenses up to 4 million Swiss francs per annum, contributory shares not to exceed this figure. Excess expenditure may be authorized after having been approved by the majority of the Members of the Union.

At its seventh session, held in Geneva beginning 21 April 1952, the Council adopted the following revised budget for 1952 (in Swiss francs):

Ordinary budget	Swiss francs
Administrative Council	225,000
General Secretariat	2,690,000
I.F.R.B.	1,068,500
C.C.I.F.	437,500
C.C.I.T.	102,000
C.C.I.R.	462,400
Total	4,985,400

Extraordinary budget

Buenos Aires Conference	1,720,000
C.C.I.F. Meetings	32,000
C.C.I.T. Meetings	63,700
C.C.I.R. Meetings	100,000
Radio and Television Conference, Stockholm, 1952	361,500
Total	2,277,200

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 of ITU have chosen for the year 1952 the following classes of contribution:

First Class (30 units): Argentina; Australia; France; India; USSR; United Kingdom; United States; Territories of the United States.

Second Class (25 units): Brazil; Canada; China, Overseas Territories of the French Republic and Territories administered as such; Italy; Union of South Africa and Territory of South West Africa.

Third Class (20 units): Colonies, Protectorates, Overseas Territories and Territories under Mandate or Trusteeship of the United Kingdom; Federal Republic of Germany; Poland.

Fourth Class (15 units): Pakistan; Portugal; Portuguese Colonies; Ukrainian SSR.

Fifth Class (10 units): Belgium; Czechoslovakia; Denmark; Dominican Republic; Egypt; Indonesia; Mexico; Netherlands, Surinam, Netherlands Antilles, New Guinea; Norway; Sweden; Switzerland; Thailand; Turkey; Venezuela.

Sixth Class (5 units): Byelorussian SSR; Colombia; Cuba; Ecuador; Finland; Greece; Ireland; New Zealand; Peru; Philippines; Uruguay.

Seventh Class (3 units): Belgian Congo and Territory of Ruanda-Urundi; Bolivia; Bulgaria; Burma; Ceylon; Chile; Costa Rica; El Salvador; Ethiopia; Guatemala; Honduras; Israel; Liberia; Luxembourg; Nicaragua; Panama; Paraguay; Saudi Arabia; Spain; Syria; Vietnam; Yemen.

Eighth Class (1 unit): Afghanistan; Albania; Austria; British East Africa; British West Africa; Cambodia; French Protectorates of Morocco and Tunisia (Morocco 1 unit and Tunisia 1 unit); Haiti; Hungary; Iceland; Iran; Iraq; Japan; Jordan; Laos; Lebanon; Monaco; Republic of Korea; Romania; Southern Rhodesia; Spanish Zone of Morocco and the totality of Spanish Possessions; Vatican City; Yugoslavia.

The total number of units is 795.

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS

(As of 31 December 1952)

A. MEMBERS OF ITU⁸

Afghanistan	Bolivia
Albania	Brazil
Argentina	Bulgaria
Australia	Burma
Austria	Byelorussian SSR
Belgium	Cambodia
Belgian Congo and Territory of Ruanda-Urundi	Canada
	Ceylon

Chile	Costa Rica
China	Cuba
Colombia	Czechoslovakia

⁸The 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.

Denmark	Territories administered as such
Dominican Republic	
Ecuador	Pakistan
Egypt	Paraguay
El Salvador	Peru
Ethiopia	Philippines
Finland	Poland
France	Portugal
French Protectorates of Morocco and Tunisia	Portuguese Overseas Territories
Germany, Fed. Rep. of	Romania
Greece	Saudi Arabia
Guatemala	Southern Rhodesia
Haiti	Spain
Honduras	Spanish Zone of Morocco and the totality of Spanish Possessions
Hungary	Sweden
Iceland	Switzerland
India	Syria
Indonesia	Thailand
Iraq	Turkey
Ireland	Ukrainian SSR
Israel	Union of South Africa and Territory of South West Africa
Italy	USSR
Japan	United Kingdom
Jordan	Colonies, Protectorates, Overseas Territories and Territories under Mandate or Trusteeship of the United Kingdom
Korea, Rep. of	United States
Laos	Territories of the United States
Lebanon	Vatican City
Liberia	Venezuela
Luxembourg	Vietnam
Mexico	Yugoslavia
Monaco	
Netherlands, Surinam, Netherlands Antilles, New Guinea	
New Zealand	
Nicaragua	
Norway	
Overseas Territories of the French Republic and	

Associate Members of ITU

British West Africa
British East Africa

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	Italy	Turkey
Canada	Lebanon	USSR
China	Pakistan	United Kingdom
Colombia	Poland	United States
Egypt	Portugal	Yugoslavia

D. MEMBERS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD (IFRB)

Moorthy Rao (India)
Alfonso Hernández Cata y Galt (Cuba)
Nicolas Krasnoselski (USSR)
Fioravanti Dellamula (Argentina)
John A. Gracie (United Kingdom)
Paul D. Miles (United States)
René Petit (France)
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

For 1952:

Chairman:

China

Vice-Chairmen:

France United Kingdom
USSR United States

F. OFFICERS OF THE GENERAL SECRETARIAT

Secretary-General:

Leon Mulatier (France)

Assistant Secretaries-General:

Gerald C. Cross (United States)
Hugh Townsend (United Kingdom)

G. OFFICERS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD (IFRB)

For 1952:

Chairman:

F. Dellamula

Vice-Chairman:

J. J. Svoboda

For 1953:

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

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 centres 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 co-ordinating 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 approved the General Regulations, the Financial Regulations and the Staff Regulations of WMO. It adopted the Budget of WMO for the first financial period, namely, until 31 December 1955.⁴

2. Organization

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 Organization is headed by a President and two Vice-Presidents, who are the President and Vice-Presidents of the Congress and the Executive Committee.

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

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. 980-81.

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.

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, such as amendments to the Convention, membership in the organization or relations with the United Nations.

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 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 in their respective regions. They consider and make recommendations to the Congress and the Executive Committee on matters of general meteorological interest, and co-ordinate meteorological and associated activities in their respective regions.

Six Regional Associations were established under WMO as follows: (I) Africa; (II) Asia; (III) South America; (IV) North and Central America; (V) South West Pacific; and (VI) Europe. The new Regional Associations differ slightly from the former six regional commissions of IMO in that they now include ocean as well as land areas.

Eight Technical Commissions were established by the Congress and are composed of experts throughout the world who handle specific technical problems. They study and make recommendations in their respective fields to the Congress and the Executive Committee. The Technical Commissions are: Aerology (CAe); Aeronautical Meteorology (CAeM); Agricultural Meteorology (CAgM); Bibliography and Publications (CBP); Climatology (CC1); Instruments and Methods of Observation (CIMO); Maritime Meteorology (CMM); and Synoptic Meteorology (CSM).

The WMO Secretariat is located in Geneva and consists of two divisions, one administrative and the other technical. The Secretariat 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. It prepares or edits and arranges for publication and distribution the approved publications of the organization, carries out the routine procedures of maintaining records and files, prepares correspondence and manages the finances of the organization.

3. Activities during 1952

On 31 December 1952, there were 79 Members of WMO. Of this number, 56 Members are States and 23 are territories.⁵ During 1952, Bulgaria, Cuba, Guatemala, Luxembourg, and Syria became Members.

On 8 October, Japan applied for membership. The application was circulated to Members on 13 November.⁶

On 24 July the United Kingdom, on behalf of the combined British Caribbean Territories, applied for membership. After further exchange of correspondence between the secretariat of WMO and the Foreign Office of the United Kingdom, the application was circulated to Members on 19 January 1953.

During 1952 Members were also invited to submit lists of non-member countries with which they considered co-operation to be necessary.

Numerous applications for admission to the regional associations of WMO were received during 1952.

Although no meeting of the WMO Congress took place during 1952, the following sessions of WMO's constituent bodies were held: the third session of the Executive Committee, in Geneva, from 9 to 27 September; the first session of Regional Association VI (Europe), in Zurich, from 26 May to 8 June; and the first session of the Commission for Maritime Meteorology, in London, from 14 to 29 July.

a. TECHNICAL ACTIVITIES

(1) WMO Technical Regulations

The First Congress decided that new Technical Regulations intended to correct the incomplete

⁵ For list, see p. 910.

⁶ After two thirds of the Members consulted had approved the application, Japan was finally admitted in 1953 to become a Member of WMO by acceding to the Convention.

and disorganized state of resolutions adopted by IMO should be prepared for approval by the next Congress. At the same time, it authorized the Executive Committee to develop and implement Provisional Technical Regulations.⁷

During 1952, work on these resolutions was carried out by the secretariat. Lists of "Resolutions in Force" were distributed and served as a basis for future work. Presidents of the commissions were asked to arrange for small working groups to prepare Draft Provisional Technical Regulations for each commission.

The Commission for Maritime Meteorology (CMM) completed its Draft Provisional Technical Regulations at its first session, in July, and the Executive Committee decided, at its third session in September, that this Draft and any further Draft Provisional Technical Regulations proposed by the other commissions should be distributed, as they became available, to the Permanent Representatives, the technical commissions and the Presidents of regional associations for study and comments. The Executive Committee urged that all such Drafts, as well as the definite plan for the presentation of the Technical Regulations, to be worked out by the secretariat, be available at the end of 1953.

(2) Cloud Atlas

The Working Group on Clouds and Hydrometers, entrusted with the responsibility of preparing the International Cloud Atlas, held its fifth meeting in August, in Paris.

The new Cloud Atlas will be published in several volumes, including a Reduced Atlas and an Album.

At its third session in September, the Executive Committee decided that the production of the Atlas should go forward as quickly as possible and a panel was established to consider, in collaboration with the Secretary-General, detailed arrangements.

(3) World Maps of Thunderstorm Activity

During 1952, the Technical Division of the WMO secretariat received statistical data from meteorological services in reply to requests in accordance with resolutions adopted by the Executive Committee at its second and third sessions, in 1951 and 1952. These requests were for charts showing the frequency of thunderstorms and for other statistical data, which would be assembled by the secretariat.

(4) Arid Zone Research and Development

In accordance with resolutions of the First Congress and the second and third sessions of

the Executive Committee, the President of WMO appointed a panel of experts to study questions referred to WMO by the United Nations and specialized agencies, concerning research, development and planning related to arid zones. The panel is to propose a programme for WMO in studying climatic conditions, knowledge of which would contribute to improving living conditions in arid and semi-arid regions. The work of the panel will be co-ordinated by the secretariat, which undertook preparatory work during the last months of 1952.

In 1951, Professor Peveril Meigs, of the International Union of Geographical Sciences, prepared world-wide hemoclimatic maps for UNESCO, as a basis for the definition and location of the main arid and semi-arid regions of the earth. These maps were submitted to WMO for comments and were being studied by experts.

At the second session of the standing Advisory Committee on Arid Zone Research of UNESCO, established in November 1950, UNESCO consulted WMO regarding the possibilities of artificial precipitations as a means of improving arid and semi-arid climatic conditions. A provisional reply was drafted by the Technical Division of the secretariat and sent to UNESCO. A more complete report was also being prepared.

Dealing with the question of human labour conditions in arid areas, the UNESCO Committee drew the attention of WMO, ILO and other interested organizations to the need for more data on human activities of a type that could be related to climatic factors. The WMO secretariat made a preliminary approach to the International Labour Office in Geneva, and the question was included on the agenda for the first session of the Commission for Climatology.

(5) International Geophysical Year

WMO decided to participate in the International Geophysical Year 1957-1958, organized by the International Council of Scientific Unions (ICSU) to make more intensive studies of the meteorological and other geophysical elements with which ICSU is concerned. WMO appointed a representative to the special committee preparing the programme. At its third session, the Executive Committee agreed that the meteorological programme should be to investigate one or more specific problems offering promise of early solution. A small working group was established to consider the programme and to report to the Executive Committee at its fourth session. A let-

⁷ See Y.U.N., 1951, p. 953.

ter was also sent to presidents of regional associations and technical commissions, inviting their suggestions for the programme. Their suggestions and other proposals were studied by the working group for report to the ICSU Special Committee in 1953.

(6) World Days of Upper Air Research

Proposals by the Joint Commission on Upper Air Research Stations regarding the establishment of World Days for the observation of the upper atmosphere were adopted by the International Union for Geodesy and Geophysics (IUGG) in 1951. The programme will be based upon the collection of observations and analyses of data obtained on fixed dates. Special days of observation were to be arranged to coincide with important natural phenomena, such as eclipses and the main meteor showers, or with artificial phenomena, such as the launching of rockets.

The Executive Committee of WMO agreed at its second session in 1951 to collaborate in this programme. The President of the Commission for Aerology studied aspects of the scheme during 1952 and the Commission was expected to consider the question at its meeting in September 1953.

(7) Bibliography and Publications

The Commission for Bibliography and Publications (CBP) was given the responsibility for preparing a meteorological vocabulary; for dealing with questions relating to the classification of meteorological subjects; for the general form of meteorological documents; for cataloguing, preserving and filing meteorological documents; and for encouraging the issue of technical and scientific documents for training, information and research.

During 1952, the draft of the "Manual for documentation, classification and library work" was awaiting certain general decisions on questions which come under the terms of reference of the International Federation for Documentation and of the International Organization for Standardization.

The commission was also preparing a working paper on a Meteorological Lexicon and Polygot Vocabulary.

Annual volumes of the "International Meteorological Bibliography" were published by the French Meteorological Service up to 1945. Work on volumes for 1940, 1941 and 1943 continued.

Quarterly volumes were published by the French Meteorological Service from 1946 to 1951. The

drafts of the first three volumes of 1952 were prepared, to be printed by the WMO secretariat.

(8) Instruments and Methods of Observation

The Commission for Instruments and Methods of Observation (CIMO) is primarily responsible for all questions relating to instruments for the measurement of surface conditions on land and at sea, and of conditions in the free atmosphere. The commission is also responsible for recommendations on methods of observation and for most questions relating to radiation. During 1952, most of the technical work was carried out by Working Groups.

The Working Group on Actinometry, in cooperation with IUGG, prepared recommendations regarding radiation measurements within meteorological networks, instruments to be used and observations that should be made with respect to radiation in order to satisfy the needs of biological, medical, agricultural and industrial activities.

The Working Group on Atmospheric Optics studied the problem of visibility and accumulated enough experimental results to show that existing methods of estimating visibility were unsatisfactory. The Working Group experimented on methods which used as a criterion detection instead of recognition.

The Working Group on Station Instrumentation and Exposure studied, among other things, the problems of measuring cloud heights and sea water temperatures.

The Working Group on Barometry continued its study of "Reduction of barometer readings to sea level or to constant pressure surface". In response to a circular of August 1952, information on the various methods of "pressure reduction" used by about 50 services was received by the Secretariat. This information was to be studied by CIMO at its following session. Another important subject under consideration was the question of international standardization of barometric conventions.

The Working Group on Experimental Aerology made a number of recommendations which were referred for study and report to the technical commissions by the Executive Committee, which approved a proposal to carry out a second international comparison of radiosondes at Payerne in 1955.

(9) Aerology

The Commission for Aerology (CAe) is primarily responsible for promoting and co-ordinat-

ing meteorological research and for endeavouring to meet the needs of research workers.

During 1952, three new projects were launched by the secretariat and initial preparations were made for sessions of the Working Group on Radioelectrical Meteorology and of the full commission.

Publication of Aerological Data: In October 1952, the secretariat requested all Services to send in examples of the form in which they publish their aerological data; these would be studied prior to making recommendations as to the form in which such data should be published. Replies from nearly 50 Services were being analysed.

Aerological Diagrams: Since 1938, many new aerological diagrams had been introduced and the Commission for Aerology was authorized to prepare an up-to-date reference work on the subject. In response to a request of November 1952, samples of most of the current diagrams were received by the secretariat and arrangements were being made to prepare a report for the first session of the commission.

Radiation Errors of Radiosondes: A radiosonde sent aloft during the daytime is exposed to solar radiation which may prevent the thermometer from indicating the true air temperature. The resulting errors and their effects on the applications of the observations were investigated in several countries, and in some cases corrections are applied to the readings. In November 1952, the Secretariat began collecting information about the results of these investigations and is preparing a report on the subject for consideration by the Commission for Aerology and the Commission for Instruments and Methods of Observation.

Radio-electrical Meteorology: Arrangements were made by the chairman of the Working Group on radio-electric meteorology for a "World Symposium on Atmospheric" to be held in Zurich in March 1953. The main object of the meeting is to discuss the practical significance of the observations of atmospheric made by a number of Services in recent years. The merits of various instrumental techniques will also be compared. The International Civil Aviation Organization expressed interest in this work.

(10) Climatology

The Commission for Climatology (CC1) is primarily responsible for meteorological observations and networks required for climatological investigations of surface and upper air conditions. It is also responsible for the application of climatological data to forecasting, as well as to human

activity. The Commission therefore considers not only the interests and needs of the Weather Services but also those of other groups interested in climatology. Among these are: forestry, soil conservation, irrigation, town and country planning, geography and industry.

The establishment of new working groups was to be considered at the first meeting of the Commission, in March 1953. Reports on the progress of climatology in various countries during the last few years, made following a request of August 1952, by the President of the commission, were also to be considered.

(11) Agricultural Meteorology

The President of the Commission on Agricultural Meteorology (CAGM) had prepared a comprehensive programme of work for the study of all problems within the terms of reference of the commission. This study, it is expected, should lead to the adoption of rules and instructions to guide not only Meteorological Services in their daily work of interpreting meteorological knowledge and of applying it to agriculture, but also any person or institution requiring meteorological information for the development of any kind of agricultural work. The main features of this programme are studies on:

- (1) the atmospheric elements affecting plant and animal life; instruments and methods for their observation and measurement; the synoptic and climatological aspects of these elements, including standard forms for the issue and publication of meteorological advices and climatological summaries;
- (2) plant bioclimatology;
- (3) problems and techniques in animal bioclimatology;
- (4) meteorological and climatological aspects of plant and animal phenology; and
- (5) artificial influences on weather and climate as they may affect agriculture.

Details of the outlined programme will be developed by working groups composed of a few qualified experts in each field, who will study and prepare the proposals to be discussed and approved by the full commission.

The Chairman of the Working Group on Phenology submitted a preliminary report which resulted from an inquiry among the Directors of the Meteorological Services of the world, calling for the preparation of lists of plants and migratory animals common to vast areas, any atlas of international scope, and the establishment of a network of phenological stations sufficiently dense to be representative of the territory covered by the respective Services.

After careful analysis of the replies to the inquiry, the chairman arrived at the following conclusions: (1) present ecological knowledge does not permit the final preparation of one in-

ternational phenological catalogue, even limited to a very small number of plants and animals to be observed; (2) similarly, the publication of a phenological atlas for international use is considered premature.

(12) Maritime Meteorology

The Commission for Maritime Meteorology (CMM) held its first session in London during July, when it approved its Draft Provisional Technical Regulations and decided to establish four working groups for continued study of the most important problems. Among the major developments arising out of the Commission's session were:

International Ice Nomenclature: As a result of the studies made by a working group of ice experts since 1947, a new International Ice Nomenclature was prepared and recommended for adoption.

The recommended Nomenclature was referred by the Executive Committee to the Presidents of regional associations, some of whom circulated it to their members, and to the President of the Commission for Synoptic Meteorology, which was to discuss it at the next meeting.

Confidential position code for use of whaling ships: The need for every available radio weather message from shipping in the southern hemisphere makes the recruitment of whaling ships as selected ships very desirable. Whaling ships are reluctant to give their position away to their rivals, so their position in the weather messages has to be sent in cipher. The South African Meteorological Service volunteered to prepare the ciphers, to arrange for their issue to the ships and to collect and re-issue the messages using a position decipher, for all countries in the southern hemisphere and the commission recommended that this plan be put into effect. The Executive Committee authorized the use of a confidential code for this purpose and requested the President of the CMM to introduce the proposed scheme in collaboration with the secretariat. Action was taken in October, and the scheme came into operation during the 1952-1953 whaling season.

Inadequacy in the number of observing ships: One of the main tasks of the session of the Executive Committee was to study the existing ocean network and consider areas where improvements were practicable and necessary. A composite world map was prepared showing the density of weather reporting ships over the oceans and it was made clear that the network of observations in many ocean areas is still deficient.

It was recommended that each Member be informed of the urgency of recruiting further observing ships and be asked to state whether it was able and willing to do so, particularly amongst vessels plying in the areas in which the number of ship reports is inadequate. The Executive Committee approved the recommendation and directed the Secretary-General to notify the Members of the decision.

Waiving of charges on ships' weather messages: On a recommendation of the Maritime Commission, the Executive Committee agreed that the elimination of charges on ships' weather messages was of great importance for the improvement of the world-wide system of transmitting weather messages to and from ships. Further, it decided to send a representative to the next appropriate conference of the International Telecommunication Union, and requested the President of the Commission for Maritime Meteorology to prepare a brief for the guidance of the Organization's representative at that conference.

(13) Synoptic Meteorology

The terms of reference of the Commission for Synoptic Meteorology (CSM) are extremely broad. The commission is responsible for the formulation of observational requirements for synoptic meteorology, the preparation of codes, questions relating to networks of stations and for telecommunications problems. The President of the commission established five working groups to continue the work started by the corresponding sub-commissions of the IMO.

Code Questions: A new international code for reporting data obtained by meteorological reconnaissance flights (RECOO Code) was prepared and was being tried out by the United States Weather Bureau prior to final adoption. This formed part of a large project on the revision of aeronautical meteorological codes, initiated by the IMO Commission for Aeronautical Meteorology and the Meteorological Division of ICAO. The International Air Transport Association had suggested some modifications to some of these proposed codes. It was planned that the whole question would be reviewed at the forthcoming session of the Commission for Synoptic Meteorology in 1953.

Several code problems were discussed at the first meeting of Regional Association VI in May and June 1952. Special attention was given to the code for upper air reports (TEMP-Code) and the association recommended that the Commission for Synoptic Meteorology should urgently consider the question of devising a TEMP form of code

suitable for universal adoption, taking into consideration the proposals made by the USSR and France. The Executive Committee referred this recommendation to the CSM.

Telecommunication problems: The whole system of meteorological telecommunications was under review at the end of the year, particular attention being given to the reorganization of teleprinter networks and broadcasts with a view to securing the greatest efficiency and economy. The development of facsimile apparatus for the transmission of surface and upper-air charts was also being considered. A working group of meteorological transmissions in Europe was set up by Regional Association VI at its first session and the problems were to be discussed on a universal basis at the session of the Commission for Synoptic Meteorology.

Radiosonde/Radio-Wind stations: Regional Association VI discussed during its first meeting the problem of optimum density of radiosonde and radio-wind stations and also the question of specifying the definite time, hour and minute for the launching of balloons at such stations. The recommendations on these items were referred to the appropriate technical commissions by the Executive Committee.

(14) Aeronautical Meteorology

Observing Manual for Air-Crews: A second draft of the observing manual for air-crews was distributed to members of the working group on this subject. In its current form, the manual deals with the procedures for observing and reporting meteorological elements and phenomena aboard aircraft and the instruments to be used. The section on cloud observations would be closely related to the corresponding section of the new International Cloud Atlas. Comments on the first draft of the manual were received from members of the Commission for Aeronautical Meteorology, who will be responsible for final approval of the publication.

Climatological Summaries: The WMO Joint Working Group on Climatological Summaries, attached to the Commission for Aeronautical Meteorology, is the continuation of the former IMO joint sub-commission on this subject. This sub-commission prepared a report proposing a number of models for climatological summaries, to be considered by the Commission for Climatology during its first session.

First Session of the Commission for Aeronautical Meteorology: A provisional draft agenda for the first session of this commission was issued by its President. Among the items to be discussed

are: aircraft icing, turbulence, utilization of the jet-stream in air navigation, present status of pressure pattern flying, review of knowledge of the atmosphere and forecasting for operations above 25,000 feet.

(15) Publications and Library

WMO Bulletin: Since April 1952, the WMO Bulletin was issued quarterly. Separate English and French editions are published. The Bulletin provides a summary of the work of the Organization and of developments in international meteorology. In addition to reports of meetings and other activities of the various constituent bodies, it contains articles on recent scientific developments in meteorology. To ensure a wide distribution in scientific and political circles a free copy of each issue is sent to interested governmental departments, technical journals, the main university libraries and departments of meteorology and the main interested scientific societies in each country.

Publications:⁸ In 1952 priority was given to the printing in several languages of resolutions of the first WMO Congress, the last IMO Conference of Directors and the resolution of the sessions of the Executive Committee, held until that date.

The Russian version of the "Specifications for Meteorological Services for International Air Navigation" was completed, thus terminating the last edition of the four languages (English, French, Russian, Spanish).

A new publication "Composition of the WMO" was produced (WMO—No. 5), containing full information on the Members of WMO, with the names of their permanent representatives, lists of countries represented in the WMO regional associations and lists of members of technical commissions. This publication is kept up to date by the issue of supplements. Former IMO Publication No. 2, "Offices Météorologiques du Monde", taken over by the WMO, is also kept up-to-date by means of supplements. The edition of frequent and often very substantial supplements to the former IMO Publication No. 9 "Synoptic Weather Messages—4 Volumes" was continued.

Work on the new edition of Fascicule II, Publication No. 9, is well advanced and is expected to be finished in May 1953.

In addition to the printed publications, some reports were produced as "Mimeographed pub-

⁸For list of WMO publications, see Report of WMO (E/2428, annex I).

lications". A new category of mimeographed reports was introduced—the "Abridged Final Reports" of technical commissions of WMO and of its regional associations. English and French versions of the Abridged Final Report of the first session of the Commission for Maritime Meteorology in London, July 1952, were published (WMO—No. 10.R.P.2). At the end of 1952, work on the Abridged Final Report of the first session of Regional Association VI (Europe), held in Zurich from 26 May to 8 June 1952, was well under way.

Technical Library: In May 1952 Members were asked to request Services to contribute any available copies of technical books and other publications to the secretariat library. A great number of replies were received and many useful and valuable publications were sent to the secretariat. Standard text-books and sets of back numbers of some of the more important journals were also obtained and subscriptions were placed for the principal meteorological periodicals. Work was begun at the end of 1952 on the complete reclassification on the decimal system of the books and other publications contained in the library.

b. TECHNICAL ASSISTANCE

(1) WMO Status in the United Nations Expanded Programme of Technical Assistance

As WMO did not exist as a specialized agency of the United Nations until after the allocation between the participating agencies of the fixed percentages of the funds of the Expanded Programme of technical assistance, approval was given by the Technical Assistance Board for WMO to draw on the appropriation of the United Nations for the financing of its projects. A working arrangement for 1952 concluded between WMO and TAA provided essentially that whereas WMO would be entirely responsible for all the technical aspects of its technical assistance programmes, TAA would handle all the non-technical aspects. TAA would make available to WMO for 1952 a sum of U. S. \$200,000, adjustable in accordance with the volume of technical assistance to be given.

(2) Firm Projects

Among the technical assistance projects on which WMO aid was given were:

Israel: Technical assistance of a specialist nature was requested on a short-term basis in four branches of meteorology. A two months' mission in microclimatology was completed. A nomination was made for a mission in indoor climate as affecting the siting of buildings, to take

place in the summer of 1953 and another for a mission in synoptic meteorology in the winter season 1953-54. Arrangements were also begun for the award of a fellowship in instruments, tenable in Canada, Sweden and the United Kingdom and of another in theoretical and synoptic meteorology in the Netherlands, Sweden and the United Kingdom.

Libya: A fact-finding survey of the meteorological requirements of Libya was completed and negotiations were taking place for the appointment of a senior meteorologist on a long-term basis to organize and temporarily direct a national meteorological service. One of the first tasks of this expert would be the recommendation of Libyan nationals for training for all professional posts in the service. Another expert was expected to train observers.

Yugoslavia: Technical assistance of a specialist nature was requested in six branches of meteorology, together with equipment and publications. A fact-finding survey in meteorology was completed and a mission in hydrology was being considered. The nomination of an expert in synoptic meteorology was accepted for a mission in the autumn of 1953 and a nomination was put forward of an expert in agro-meteorology for the summer of 1953. Negotiations were in hand for the release from his own service of an expert on instruments. Arrangements were being made for the awards of single fellowships in organization and communications, agricultural meteorology and instruments, tenable in Western Europe.

In the case of both Israel and Yugoslavia, implementation of requests for technical assistance in radiosonde had to be delayed, although experts were available, due to non-availability of equipment in the countries. The Expanded Programme is not a supply programme, but attempts were being made to purchase or hire equipment on a demonstration basis so that the technical assistance can be provided.

(3) Outlook

Discussions were taking place, and requests had been received, for the granting of technical assistance in the form of experts or fellowships to the following countries: Afghanistan, Bolivia, China, Dominican Republic, Haiti, Indonesia, Iran, Jordan, Mexico, Syria, Saudi Arabia, Southern Rhodesia, Thailand and Turkey.

Exploratory missions were concluded in 1952 in the Dominican Republic and Haiti.

WMO was arranging to provide technical assistance for the organization of meteorological

services in countries where none exist and for the specialist advance of others in the sphere of economic development.

c. EXTERNAL RELATIONS OF THE ORGANIZATION

(1) Relationship with the United Nations and Specialized Agencies

Various agreements and arrangements were adopted during 1952 with a view to consolidating the relationship between WMO and other international agencies.

A working arrangement was approved between WMO and the Technical Assistance Administration of the United Nations. WMO became affiliated with the United Nations Joint Staff Pension Fund and other social and medical services of the United Nations. It also participated in common services established by the European Office of the United Nations and the specialized agencies whose headquarters are in Geneva. A working arrangement was also concluded with WHO and approved by both agencies. It provided that the two organizations should keep one another informed of programmes and all other activities of common interest. An informal arrangement for mutual representation and consultation was entered into with FAO. Negotiations were being conducted with UNESCO, ICAO and the International Union of Geodesy and Geophysics (a non-governmental scientific international union).

During 1952 WMO was represented at a considerable number of international meetings related to its work.

(2) General Information Service

The secretariat prepared a number of press releases which were distributed by the Information Centre of the European Office of the United Nations. An extensive exchange of information was initiated with the other specialized agencies interested in the specialized work of the organization. The secretariat also availed itself of other opportunities to make the work of WMO, its aims and its operation, well known in conformity with the spirit of the general policy of WMO.

(3) Administration of the Secretariat

During 1952 the technical work of the secretariat and the responsibilities allotted to it expanded considerably and the staff more than doubled its size within the year. At the end of 1952, the total number of established posts filled was 31. The corresponding increase in current work which also took place during the same year necessitated employing temporary staff for fairly long periods.

The Technical Division, the Technical Assistance Unit and the External Relations Section were established during the year.

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 fund was established with the maximum limited to 10 per cent of the expenditures voted. The scale of contributions which was agreed upon by the Members is given below.

The budget for the first financial year (the period 4 April to 31 December 1951) amounted to \$190,000. For the full second financial year 1952 (1 January to 31 December 1952) the budget was adopted at \$272,379. At its third session in September 1952, the Executive Committee approved the following budget in the amount of \$359,881 for the third financial period (1 January to 31 December 1953):

REVENUE	
Contributions	\$284,881
Sale of Cloud Atlas	6,000
Sale of other publications	8,000
Per General Fund (reappropriation of surplus for 1951 Budget)	60,000
Other Revenue	1,000
	<u>\$359,881</u>

EXPENDITURES	
I Meetings	\$ 29,199
II Personal Services	175,611
III General Services	89,476
IV Special Projects and Activities	61,500
V Other Budgetary Provisions	4,095
	<u>\$359,881</u>

SCALE OF CONTRIBUTIONS

The proportional contribution of Members for 1953 is as follows:

Members	Units
United States	120
United Kingdom	65
France	50
USSR	45
India	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

Members	Units	Members	Units
Denmark, New Zealand, Philippines, Poland . . .	12	Portuguese East Africa	5
Norway	11	French Equatorial Africa, Iraq, Syria.	4
Belgian Congo, Czechoslovakia, Finland, Indo- china, Peru, Uruguay, Yugoslavia.	10	Ecuador, Iceland, Lebanon, Luxembourg, Mada- gascar, Portuguese West Africa, Tunisia...	3
Byelorussian SSR, British Mayala, Borneo Terri- tories, Romania	9	French Cameroons, Dominican Republic, Guate- mala, Haiti, Hong Kong, P a r a g u a y	2
British East African Territories and Indian Ocean Islands, British West African Territories, French West Africa, Ireland, Venezuela	8	Bermuda, French Oceania, French Somaliland, French Togoland, Netherlands Antilles (Cur- açao), Netherlands New Guinea, Surinam, New Caledonia	1 1
Bulgaria, Burma, Ceylon, Hungary, Thailand. . .	7		
British Central African Territories, Cuba, Greece, Israel, Morocco (French Protectorate)	6		1016

ANNEX. MEMBERS, OFFICERS AND HEADQUARTERS
(As of 31 December 1952)

A. MEMBERS OF WMO⁹

Argentina	Indonesia
Australia	Iraq
Belgian Congo	Ireland
Belgium	Israel
Bermuda	Italy
Brazil	Lebanon
British Central African Territories	Luxembourg
British East African Terri- tories and Indian Ocean Islands	Madagascar
British Malaya Borneo Territories	Mexico
British West African Ter- ritories	Morocco (French Protec- torate)
Bulgaria	Netherlands
Burma	Netherlands Antilles
Byelorussian SSR	Netherlands New Guinea
Canada	New Caledonia
Ceylon	New Zealand
China	Norway
Cuba	Pakistan
Czechoslovakia	Paraguay
Denmark	Peru
Dominican Republic	Philippines
Ecuador	Poland
Egypt	Portugal
Finland	Portuguese East Africa
France	Portuguese West Africa
French Cameroons	Romania
French Equatorial Africa	Spain
French Oceania	Surinam
French Somaliland	Sweden
French Togoland	Switzerland
French West Africa	Syria
Greece	Thailand
Guatemala	Tunisia
Haiti	Turkey
Hong Kong	Ukrainian SSR
Hungary	Union of South Africa
Iceland	United Kingdom
India	United States
Indochina	USSR
	Uruguay
	Venezuela
	Yugoslavia

B. MEMBERS OF THE EXECUTIVE COMMITTEE

F. W. Reichelderfer	Eng. J. Lugeon
A. Viaut	N. P. Sellick
D. A. Davies	L. de Azcárraga

V. V. Sohoni	M. Aslam
F. X. R. de Souza	A. A. Solotoukhine
A. Thomson	Sir Nelson Johnson
M. A. F. Barnett	Th. Hesselberg
	H. A. Ferreira

C. OFFICIALS OF WMO

President: F. W. Reichelderfer
 First Vice President: A. Viaut
 Second Vice President: N. P. Sellick
 Secretary General: G. Swoboda
 Deputy Secretary-General: J. R. Rivet.
 Chief of the Technical Division: K. Langlo

D. PRESIDENTS OF REGIONAL ASSOCIATIONS
AND TECHNICAL COMMISSIONS

REGIONAL ASSOCIATIONS

I. Africa	D. A. Davies
II. Asia	V. V. Sohoni
III. South America	F. X. R. de Souza
IV. North and Central America	Andrew Thomson
V. South West Pacific	M. A. F. Barnett
VI. Europe	J. Lugeon

TECHNICAL COMMISSIONS

Aerology	J. Van Mieghem
Aeronautical	
Meteorology	A. H. Nagle
Agricultural	
Meteorology	Juan J. Burgos
Bibliography and	
Publications	M. Mézin
Climatology	C. W. Thornthwaite
Instruments and Meth- ods of Observation	J. Patterson
Maritime Meteorology	C. E. N. Frankcom
Synoptic Meteorology	Dr. W. Bleeker

E. HEADQUARTERS

Avenue de la Paix
 Campagne Rigot
 Geneva, Switzerland

⁹ 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 1952, eleven acceptances of the Convention had been received from Australia, Belgium, Burma, Canada, France, Greece, Ireland, Israel, the Netherlands, the United Kingdom and the United States. Six 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.³

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

(As of 31 December 1952)

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 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)

(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 and 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 (IC. ITO), 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 IC. ITO 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 1952.

On 13 September 1951, at its thirteenth session, the Economic and Social Council established an ad hoc Committee on Restrictive Business Prac-

tices to prepare proposals on methods for implementing the principles set forth in Chapter V of the Havana Charter. The Committee has held

three sessions and is expected to present its recommendations to the sixteenth session of the Council, in 1953.

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, Cuba, Czechoslovakia, France, India, Lebanon, 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, 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, Netherlands, Luxembourg) took part as a Customs Union, as did also Lebanon-Syria.

The Geneva tariff conference was the first of three, the two others taking place in 1949 at Annecy, France, and in 1950-51 at Torquay, England.

1. 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 Annecy 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, Nicaragua and Sweden.

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 six acceding 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 Korea and the Philippines. Uruguay, which negotiated at Annecy but did not subsequently accede, had also not acceded by the end of 1952.

During 1950, Indonesia became a Contracting Party in its own right; the National Government of China notified its withdrawal effective 5 May 1950; the Central People's Government of China has not yet defined its position. Lebanon and Syria notified withdrawals on 25 February and 6 August 1951, respectively.

In addition to negotiating further concessions at Torquay, the Contracting Parties renewed until 1 January 1954 the firm validity of the Geneva and Annecy concessions, which were "bound" only until 1 January 1951, thus stabilizing until 1954 more than 55,000 tariff rates, covering a very large part of world trade.

2. 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 dis-

discussion and settlement of differences arising out of the administration of the Agreement. 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 Protocol or the Torquay Protocol. These legal instruments have enabled the Contracting Parties to bring the new tariff rates into effect, to establish most-favoured-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.

3. 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. Seven sessions of the Contracting Parties had been held up to the end of 1952. 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 session at Geneva from 16 August to 14 September 1948; the third session at Annecy from 8 April to 13 August 1949; the fourth session at Geneva from 23 February to 3 April 1950; the fifth session at Torquay from 2 November to 16 December 1950; the sixth session at Geneva from 17 September to 26 October 1951; and the seventh session at Geneva from 2 October to 10 November 1952.

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 1952 was undertaken during the seventh session, held at Geneva from 2 October to 10 November. Earlier in the year the Inter-sessional Committee met in January, to consider the import restrictions imposed by the United Kingdom in November 1951. The Committee met again in February to consider import restrictions imposed by France, Southern Rhodesia and the United Kingdom and also Belgian restrictions on imports from the dollar area. In July the Government of Japan expressed the wish to enter into negotiations with a view to acceding to GATT.

The work of the seventh session, like that of previous sessions, can be roughly divided into items which arose from the operation of the Agreement and items proposed by governments and non-governmental agencies. Under the terms of the Agreement the Contracting Parties held consultations on the import restrictions applied by them to safeguard their balances of payments and monetary reserves. The request of Japan for permission to negotiate for accession was discussed and was referred to an Inter-sessional Committee.¹ The Contracting Parties: (1) reviewed the status of the South Africa-Southern Rhodesia Customs Union and the Nicaragua-El Salvador Free-Trade Area; (2) granted permission to Ceylon to extend its protection for domestic industries; and (3) extended the time-limits for Brazil, Nicaragua, Korea and the Philippines to sign the Torquay Protocols and for Uruguay to sign the Annecy and Torquay Protocols.

At the seventh session new machinery for the settlement of differences was tried out; it consisted of a Panel on Complaints, a small group of neutral assessors which heard both parties. Most

¹ The Committee met in Geneva in February 1953.

of the differences brought before the Contracting Parties were satisfactorily settled: for instance, the complaint about the protective effect of the United Kingdom system of purchase tax was fully met in 1952 by the complete revision of the system. Among the most important complaints which remained unsolved at the end of the year was the infringement of GATT by the United States in its restrictions on imports of dairy products. This case drew much hostile criticism and an affected Government, the Government of the Netherlands, received permission to retaliate by reducing in 1953 her purchase of wheat flour from the United States.

Among other decisions taken at the seventh session were: (1) the waiver from certain GATT obligations granted to the six countries which comprise the European Coal and Steel Community; (2) the completion of a convention for the importation of samples and advertising material duty free;² and (3) a series of recommendations to governments designed to simplify formalities for importers and exporters. At the close of the session the French Government presented a plan that tariffs should be lowered by 30 per cent on a world-wide basis in three yearly stages of 10 per cent. It was agreed that the plan would be discussed by a special Working Party early in 1953.

4. Publications

During 1952 a third report on the operation of GATT entitled GATT in Action, was published in February 1952. This includes a twelve page outline of the provisions of GATT, explaining the salient points of each Article. (GATT/1952-2). The Contracting Parties published the third Report on the Discriminatory Application of Import Restriction, incorporating a Report on the Consultations in 1952 on the Continuance of Discrimination. In December 1952 the secretariat published two leaflets: Standard Practices for Documentary Requirements for the Importation of Goods and Standard Practices for Consular Formalities.

Two volumes containing a compilation of documentary material were published by the secretariat in May 1952. Volume I, entitled Text of the Agreement and Other Instruments and Procedures, contains the texts of the General Agreement, the Annecy and Torquay Protocols, the Protocol of Provisional Application, and the Final Acts of Geneva and Torquay. It also contains the rules of procedure for sessions of the Contracting Parties (including procedures for inter-sessional

meetings), procedures for tariff negotiations, and lists of all the Protocols and the signatories thereto. Volume II contains selected decisions, declarations, resolutions, rulings and reports of the Contracting Parties, as well as reports of working parties. (GATT/1952-3 and 4 respectively.)

5. Financial Arrangements

The Interim Commission for ITO (IC. ITO) 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. IC. ITO has transferred to the United Nations all income derived from various sources for the repayment of such loans. As at 31 December 1952 the amount still outstanding was \$216,773.87. ICITO has advised the Secretary-General of the United Nations that it will repay the amount of \$180,000 in the course of 1953.

In accordance with the arrangements made with the Contracting Parties to GATT, the Secretariat of IC. ITO is acting as a secretariat of this group of governments on a reimbursable basis. The governments parties to GATT participate in the repayment of IC. ITO in accordance with the scale of contributions which are assessed on their share of foreign trade. The scale of contributions is divided into seven categories.

The scale of contributions for 1952 is as follows (in U. S. dollars):

Category A	United Kingdom, United States	each \$53,385.—
Category B	None	
Category C	France	\$18,684.75
Category D	Canada	\$13,346.25
Category E	Australia, Belgium, Brazil, Federal Republic of Germany, India, Italy, Netherlands, Sweden, Union of South Africa. . .	each \$10,677.—
Category F	Cuba, Czechoslovakia, Denmark, New Zealand, Norway	each \$ 5,338.50
Category G	Austria, Burma, Ceylon, Chile, Dominican Republic, Finland, Greece, Haiti, Indonesia, Liberia, Luxembourg, Nicaragua, Pakistan, Peru, Southern Rhodesia, Turkey. . .	each \$ 2,699.25

² This was opened for signature on 1 February 1953.

ANNEX I. MEMBERS, OFFICERS AND HEADQUARTERS OF THE INTERIM COMMISSION
FOR ITO (IC. ITO)

(As of 31 December 1952)

A. MEMBERS OF IC. ITO

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	Mexico	Uruguay
Republic	Netherlands	Venezuela

C. OFFICERS OF THE SECRETARIAT

Executive Secretary:	
Eric Wyndham White	
Deputy:	
Jean Royer	
Head, Operations Unit:	
F. A. Haight	
Information Officer:	
Richard Ford	
Languages Officer:	
Roger Glémet	
Officers:	
Gustav Hortling	William Roth
F. K. Liebich	Jan Serraris
Giuseppe Maggio	Constant Shih
D. N. Naravane	
Administrative Officer:	
Irina Tissot	

B. EXECUTIVE COMMITTEE OF IC. ITO

Australia	Czechoslovakia	Italy
Benelux	Egypt	Mexico
Brazil	El Salvador	Norway
Canada	France	Philippines
China	Greece	United Kingdom
Colombia	India	United States

D. HEADQUARTERS

Address:	IC. ITO Secretary or GATT Secretariat, Villa le Chêne, Palais des Nations, Geneva, Switzerland.
Cable Address:	ICITO GENEVA

ANNEX II. THE CONTRACTING PARTIES TO GATT

A. CONTRACTING PARTIES

Australia	Dominican	Italy
Austria	Republic	Liberia
Belgium	Finland	Luxembourg
Brazil	France	Netherlands
Burma	Germany, Fed.	New Zealand
Canada	Rep. of	Nicaragua
Ceylon	Greece	Norway
Chile	Haiti	Pakistan
Cuba	India	Peru
Czechoslovakia	Indonesia	Southern Rhodesia
Denmark		

Sweden	Union of South	United Kingdom
Turkey	Africa	United States

B. OFFICERS

Chairman:	
Johan Melander (Norway)	
Vice-Chairman ³	

³ Mr. J. A. Tonkin died in December 1952. No new appointment had been made by the end of the year.

INFORMATION CENTRES OF THE UNITED NATIONS

BELGRADE: U. N. Information Centre

1 Bulevar Revolucije
(P. O. Box 157)
Belgrade, Yugoslavia
Cable Address: OMNIPRESS
BELGRADE (YUGOSLAVIA)

BUENOS AIRES: U. N. Information Centre

Calle Paraguay 2067
Buenos Aires, Argentina
Cable Address: OMNIPRESS
BUENOSAIRE (ARGENTINA)

CAIRO: U. N. Information Centre

Sharia El Shams
Imm. Tagher
Garden City
Cairo, Egypt
Cable Address: OMNIPRESS
CAIRO (EGYPT)

COPENHAGEN: U. N. Information Centre

37 Vestre Boulevard
Copenhagen V, Denmark
Cable Address: OMNIPRESS
COPENHAGEN (DENMARK)

GENEVA: U. N. Information Centre

Palais des Nations
Geneva, Switzerland
Cable Address: OMNIPRESS
GENEVA (SWITZERLAND)

KARACHI: U. N. Information Centre

Opposite Merewether Tower, Bunder Road
(P. O. Box 5046)
Karachi 2, Pakistan
Cable Address: KROMNIPRESS
KARACHI (PAKISTAN)

LONDON: U. N. Information Centre

Russell Square House
Russell Square
London W. C. 1, England
Cable Address: OMNIPRESS
LONDON (ENGLAND)

MEXICO CITY: U. N. Information Centre

Edificio Internacional
Paseo Reforma No. 1, Of. 505/9
Mexico D. F., Mexico
Cable Address: OMNIPRESS
MEXICO (MEXICO)

MONROVIA: U. S. Information Centre

(P. O. Box 282)
Monrovia, Liberia
Cable Address: OMNIPRESS
MONROVIA (LIBERIA)

MOSCOW: U. N. Information Centre

15 Hohlovski Pereulok, Apartment 36
Moscow, U.S.S.R.
Cable Address: OMNIPRESS
MOSCOW (USSR)

NEW DELHI: U. N. Information Centre

Theatre Communications Building
Connaught Place, Queensway
New Delhi 1, India
Cable Address: OMNIPRESS
NEW DELHI (INDIA)

PARIS: U. N. Information Centre

36 Rue de la Perouse
Paris XVI, France
Cable Address: PAROMNIPRESS
PARIS (FRANCE)

PRAGUE: U. N. Information Centre

Panska 5
Prague 2, Czechoslovakia
Cable Address: OMNIPRESS
PRAGUE (CZECHOSLOVAKIA)

RIO DE JANEIRO: U. N. Information Centre

11 Rua Mexico, Sala 1401 B
(Caixa Postal 1750)
Rio de Janeiro, Brazil
Cable Address: OMNIPRESS
RIODEJANEIRO (BRAZIL)

SHANGHAI: U. N. Information Centre

29 Chungshan Road E-1
Shanghai, China
Cable Address: OMNIPRESS
SHANGHAI (CHINA)

Information Officer for INDONESIA
c/o Resident Representative for the United
Nations Technical Assistance Board
76 Kebon Sirih
Djakarta, Indonesia

Information Officer for THE PHILIPPINES

United Nations Building
Padre Faura
Manila, The Philippines

SYDNEY: U. N. Information Centre

Stanton House, 133 Pitt Street
(Box 4030, General Post Office)
Sydney, Australia
Cable Address: OMNIPRESS
SYDNEY (AUSTRALIA)

TEHERAN: U. N. Information Centre

Heshmat Dowleh
Khiaban Keyvan
Teheran, Iran
Cable Address: TEHOMMIPRESS
TEHERAN (IRAN)

WASHINGTON: U. N. Information Centre

2000 Massachusetts Avenue, N. W.
Washington 6, D. C.

ROSTER OF THE UNITED NATIONS

(As of 31 December 1952)

Country	Total Area (Square Kilometres)	Estimated Population		Date of U. N. Membership	
		Date	Total		
Afghanistan	650,000*		1951	12,000,000*	19 Nov. 46
Argentina†	2,808,492	1 Jul.	1952	18,056,000	24 Oct. 45
Australia†	7,703,867	1 Jul.	1952	8,648,539 ¹	1 Nov. 45
Belgium†	30,507	1 Jul.	1952	8,705,672	27 Dec. 45
Bolivia†	1,098,581	1 Jul.	1952	3,089,000	14 Nov. 45
Brazil†	8,516,037	1 Jul.	1952	54,477,000	24 Oct. 45
Burma	677,544	1 Jul.	1952	18,859,478	19 Apr. 48
Byelorussian SSR†	207,600	17 Jan.	1939	5,567,976	24 Oct. 45
Canada†	9,960,170	1 Jul.	1952	14,430,000	9 Nov. 45
Chile†	741,767	1 Jul.	1952	5,936,000	24 Oct. 45
China†	9,736,288		1951	463,500,000*	24 Oct. 45
Colombia†	1,138,355	9 May	1951	11,266,075	5 Nov. 45
Costa Rica†	51,111	1 Jul.	1952	853,412	2 Nov. 45
Cuba†	114,524	31 Dec.	1951	5,523,508	24 Oct. 45
Czechoslovakia†	127,827	1 Mar.	1950	12,339,674	24 Oct. 45
Denmark†	42,936	1 Jul.	1952	4,334,000	24 Oct. 45
Dominican Republic†	49,543	1 Jul.	1952	2,236,000	24 Oct. 45
Ecuador†	275,000	1 Jul.	1952	3,349,761	21 Dec. 45
Egypt†	1,000,000 ²	1 Jul.	1952	21,425,000	24 Oct. 45
El Salvador†	20,877	1 Jul.	1952	1,985,966	24 Oct. 45
Ethiopia†	1,060,000		1951	15,000,000*	13 Nov. 45
France†	550,986	1 Jul.	1952	42,260,000	24 Oct. 45
Greece†	132,562	7 Apr.	1951	7,600,000	25 Oct. 45
Guatemala†	108,889	31 Dec.	1951	2,931,000	21 Nov. 45
Haiti†	27,750	19 Aug.	1950	3,111,889	24 Oct. 45
Honduras†	112,088	1 Jul.	1952	1,512,668	17 Dec. 45
Iceland	103,000	1 Jul.	1952	148,000	19 Nov. 46
India†	3,288,745 ³	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 Jul.	1952	19,150,648	24 Oct. 45
Iraq†	435,415	1 Jul.	1950	5,100,000	21 Dec. 45
Israel	21,000	1 Jul.	1952	1,606,804	11 May 49
Lebanon†	10,400	31 Dec.	1951	1,303,940	24 Oct. 45
Liberia†	111,370		1949	1,648,000*	2 Nov. 45
Luxembourg†	2,586	1 Jul.	1952	301,500	24 Oct. 45

Country	Total Area (Square Kilometres)	Estimated Population		Date	Total	Date of U.N. Membership
Mexico†	1,969,367	1 Jul.	1952		26,922,200	7 Nov. 45
Netherlands†	32,400 ⁴	1 Jul.	1952		10,377,283	10 Dec. 45
New Zealand†	268,666	1 Jul.	1952		1,994,764	24 Oct. 45
Nicaragua†	148,000	1 Jul.	1951		1,088,008	24 Oct. 45
Norway†	324,222	1 Jul.	1952		3,327,000	27 Nov. 45
Pakistan	947,663	28 Feb.	1951		75,842,000	30 Sep. 47
Panama†	74,010	1 Jul.	1952		840,500	13 Nov. 45
Paraguay†	406,752	1 Jul.	1951		1,425,000	24 Oct. 45
Peru†	1,311,030	1 Jul.	1952		8,714,000	31 Oct. 45
Philippines†	299,404	1 Jul.	1952		20,630,600	24 Oct. 45
P o l a n d †	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.	1952		7,124,905	19 Nov. 46
Syria†	181,337	1 Jul.	1952		3,381,000	24 Oct. 45
Thailand	511,937	1 Jul.	1952		19,192,000	16 Dec. 46
Turkey†	767,119		Oct. 1952		21,983,000	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.	1952		12,912,000	7 Nov. 45
USSR†	22,270,600 ⁵		1946		193,000,000 ⁵	24 Oct. 45
United Kingdom†	243,999	1 Jul.	1952		50,722,000	24 Oct. 45
United States†	7,827,680	1 Jul.	1952		156,981,000	24 Oct. 45
Uruguay†	186,926	31 Dec.	1949		2,365,000	18 Dec. 45
Venezuela†	912,050	1 Jul.	1952		5,279,842 ⁶	15 Nov. 45
Yemen	195,000		1951		4,500,000*	30 Sep. 47
Yugoslavia†	256,880	1 Jul.	1952		16,728,856	24 Oct. 45

† Original Member of the United Nations.

* Approximate figure. Specific data not available.

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., popu-

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

⁴ Excluding inland waters.

⁵ Excluding tribal Indians estimated at 105,120 in

⁶ Including Byelorussian SSR and Ukrainian SSR. 1950.

MEMBERS OF THE UNITED NATIONS AND SPECIALIZED AGENCIES

(As of 31 December 1952)

	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO ¹	UPU ⁶	ITU ⁸	WMO ³	IMCO	IC.ITD ¹³
AFGHANISTAN													
ALBANIA								5					
ARGENTINA													
AUSTRALIA												12	
AUSTRIA													
BELGIUM												12	
BOLIVIA													
BRAZIL													
BULGARIA								5					
BURMA												12	
BYELORUSSIAN SSR								5					
* CAMBODIA											★		
CANADA												12	
CEYLON													
CHILE													
CHINA								5					
COLOMBIA													
COSTA RICA													
CUBA													
CZECHOSLOVAKIA								5					
DENMARK													
DOMINICAN REPUBLIC													
ECUADOR													
EGYPT													
EL SALVADOR													
ETHIOPIA													
FINLAND													
FRANCE												12	
GERMANY		1	1	1		1	1	1	7	1			
GREECE												12	
GUATEMALA													
HAITI													
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. Spain, Nepal and Libya were admitted to membership in UNESCO by the General Conference at its seventh session (November-December 1952), but had not by the end of the year deposited their instruments of acceptance of UNESCO's Constitution.

4. WHO has three associate members: the French Protectorate of Morocco, Southern Rhodesia and Tunisia.

5. The Governments of Bulgaria, the Byelorussian SSR, the Ukrainian SSR, and the USSR in 1949, the Nationalist Government of China and the Governments of Albania, Czechoslovakia, Hungary, Poland and Romania in 1950, notified WHO that they no longer consider themselves Members of that 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

	UN	ILO	FAO	UNESCO	ICAO	BANK	FUND	WHO ⁴	UPU ⁶	ITU ⁸	WMO ¹¹	IMCO	ICJTO 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										10			
USSR								5					
UNITED KINGDOM												12	
UNITED STATES												12	
URUGUAY													
VATICAN CITY													
VENEZUELA													
*VIETNAM											★		
YEMEN													
YUGOSLAVIA													
TOTAL MEMBERS	60	66	68	65 ³	58	54	54	79 ⁴	93 ⁶	85 ⁸	79 ¹¹	12	52 ¹³

UPU by virtue of Article XVII of the Final Protocol of the Universal Postal Convention.

8. ITU has two associate members: British West Africa and British East Africa. In addition to Members listed, ITU's total of 85 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 79 Members includes: Belgian Congo, Bermuda, British Central African Territories, British East African Territories and Indian Ocean Islands, British Malaya-Borneo Territories, British West African Territories, French Camerouns, 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 States which have become Parties to the Convention on IMCO.

13. In addition to members listed, ICJTO's total of 52 Members includes Southern Rhodesia.

* Cambodia, Laos and Vietnam compose the Associated States of Indochina. See also note 11 above.

ADDRESSES OF DELEGATIONS AND MISSIONS¹

Permanent Missions and Delegations

AFGHANISTAN 37-24 147th Street Flushing, New York	CZECHOSLOVAKIA 6 East 67th Street New York 21, New York	IRAN Room 6310 Empire State Building 350 Fifth Avenue New York 1, New York	PHILIPPINES Room 6231 Empire State Building 350 Fifth Avenue New York 1, New York
ARGENTINA 12 West 56th Street New York 19, New York	DENMARK 7 East 72nd Street New York 21, New York	IRAQ 22 East 73rd Street New York 21, New York	POLAND 151 East 67th Street New York 21, New York
AUSTRALIA Room 4510 Empire State Building 350 Fifth Avenue New York 1, New York	DOMINICAN REPUBLIC 8 East 63rd Street New York 21, New York	ISRAEL 11 East 70th Street New York 21, New York	SAUDI ARABIA Room 3117 405 Lexington Avenue New York 17, New York
BELGIUM Room 3001 630 Fifth Avenue New York 20, New York	ECUADOR Room 6224 Empire State Building 350 Fifth Avenue New York 1, New York	LEBANON 9 East 76th Street New York 21, New York	SWEDEN 63 East 64th Street New York 21, New York
BOLIVIA Room 720 Empire State Building 350 Fifth Avenue New York 1, New York	EGYPT Room 6201 Empire State Building 350 Fifth Avenue New York 1, New York	LIBERIA 270 Park Avenue New York 17, New York	SYRIA Apartment 6 515 Park Avenue New York 22, New York
BRAZIL Room 6013 Empire State Building 350 Fifth Avenue New York 1, New York	EL SALVADOR Room 7014 Empire State Building 350 Fifth Avenue New York 1, New York	MEXICO 270 Park Avenue (G-10) New York 17, New York	THAILAND 20 East 82nd Street New York 28, New York
BURMA 3 East 65th Street New York 21, New York	FRANCE 4 East 79th Street New York 21, New York	NETHERLANDS Room 301 10 Rockefeller Plaza New York 20, New York	TURKEY Room 6300 A Empire State Building 350 Fifth Avenue New York 1, New York
CANADA Room 504 620 Fifth Avenue New York 22, New York	GREECE Suite 704 Hotel Sherry Netherland Fifth Avenue and 59th St. New York 22, New York	NEW ZEALAND Suite 526 630 Fifth Avenue New York 20, New York	UNION OF SOUTH AFRICA 15th Floor 655 Madison Avenue New York 17, New York
CHILE Room 6300 B Empire State Building 350 Fifth Avenue New York 1, New York	GUATEMALA Apartment 2350 Hotel Abbey 149 West 51st Street New York 19, New York	NICARAGUA 1627 New Hampshire Avenue Washington 9, D. C.	UNION OF SOVIET SOCIALIST REPUBLICS 680 Park Avenue New York 21, New York
CHINA Room 6301 Empire State Building 350 Fifth Avenue New York 1, New York	HAITI Room 1006 32 Broadway New York 4, New York	NORWAY Norway House 290 Madison Avenue New York 17, New York	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND 61st Floor Empire State Building 350 Fifth Avenue New York 1, New York
COLOMBIA Room 6207 Empire State Building 350 Fifth Avenue New York 1, New York	HONDURAS 475 Fifth Avenue New York 17, New York	PAKISTAN Pakistan House 12 East 65th Street New York 21, New York	UNITED STATES OF AMERICA 2 Park Avenue New York 16, New York
COSTA RICA 601 West 110th Street Apt. 1-N New York 25, New York	ICELAND 1906 Twenty-Third Street, N.W. Washington 8, D. C.	PANAMA Room 6304 Empire State Building 350 Fifth Avenue New York 1, New York	URUGUAY Room 2514 220 East 42nd Street New York 17, New York
CUBA Room 6228 Empire State Building 350 Fifth Avenue New York 1, New York	INDIA 3 East 64th Street New York 21, New York	PARAGUAY Room 1318 55 West 42nd Street New York 18, New York	VENEZUELA Apartment 12 I 270 Park Avenue New York 17, New York
	INDONESIA Room 6306 Empire State Building 350 Fifth Avenue New York 1, New York	PERU Room 6207 Empire State Building New York 1, New York	YUGOSLAVIA 854 Fifth Avenue New York 21, New York

¹ Members of permanent delegations are listed in Permanent Missions and Delegations to the United Nations, issued monthly.

Members Not Maintaining Permanent Missions or Delegations

BYELORUSSIAN SOVIET
SOCIALIST REPUBLIC
c/o U.S.S.R. Delegation
680 Park Avenue
New York 21, New York

ETHIOPIA
c/o Office of Ethiopian
Embassy
2134 Kalorama Road, NW
Washington 8, D. C.

LUXEMBOURG
c/o Legation
2200 Massachusetts Ave-
nue, NW
Washington, D. C.

UKRAINIAN SOVIET
SOCIALIST REPUBLIC
c/o U.S.S.R. Delegation
680 Park Avenue
New York 21, New York

YEMEN
c/o Legation
4402 Sixteenth Street, NW
Washington, D. C.

SALES AGENTS FOR UNITED NATIONS PUBLICATIONS

ARGENTINA

Editorial Sudamericana, Alsina 500, Buenos Aires.

AUSTRALIA

H. A. Goddard, 255a George St., Sydney, and 90 Queen St., Melbourne.

Melbourne University Press, Carlton N. 3, Victoria.

BELGIUM

Agence et Messageries de la Presse S.A., 14-22 rue du Persil, Bruxelles. W. H. Smith & Son, 71-75 boulevard Adolphe-Max, Bruxelles.

BOLIVIA

Librería Selecciones, Casilla 972, La Paz.

BRAZIL

Livraria Agir, Rio de Janeiro, Sao Paulo and Belo Horizonte.

CANADA

Ryerson Press, 299 Queen St. West, Toronto.

Periodica Inc., 4234 de la Roche, Montreal 34.

CEYLON

Associated Newspapers of Ceylon, Lake House, Colombo.

CHILE

Librería Ivens, Moneda 822, Santiago, and Editorial del Pacífico, Ahumada 57, Santiago.

CHINA

The World Book Co. Ltd., 99 Chung King Road, 1st Section, Taipei, Taiwan.

Commercial Press, 211 Honan Rd., Shanghai.

COLOMBIA

Librería Latina, Carrera 6a, 14-06, Bogota. Librería America, Medellín. Librería Nacional Ltda., Barranquilla.

COSTA RICA

Trejos Hermanos, Apartado 1313, San Jose.

CUBA

La Casa Belga, O'Reilly 455, La Habana.

CZECHOSLOVAKIA

Československý Spisovatel, Národní Trída 9, Praha 1.

DENMARK

Einar Munksgaard, Ltd., Norregade 6, København, K.

DOMINICAN REPUBLIC

Librería Dominicana, Mercedes 49, Ciudad Trujillo.

ECUADOR

Librería Científica, Guayaquil and Quito.

EGYPT

Librairie "La Renaissance d'Egypte," 9 Sh. Adly Pasha, Cairo.

EL SALVADOR

Manuel Navas y Cía., 1a. Avenida sur 37, San Salvador.

ETHIOPIA

Agence Ethiopienne de Publicité, Box 128, Addis-Abeba.

FINLAND

Akateeminen Kirjakauppa, 2, Keskuskatu, Helsinki.

FRANCE

Editions A. Pedone, 13, rue Soufflot, Paris V.

GREECE

"Eleftheroudakis," Place de la Constitution, Athènes.

GUATEMALA

Goubaud & Cía. Ltda., 5a Avenida sur 28, Guatemala.

HAITI

Librairie "A la Caravelle," Boîte Postale 111-B, Port-au-Prince.

HONDURAS

Librería Panamericana, Tegucigalpa.

HONG KONG

The Swindon Book Co., 25 Nathan Road, Kowloon.

ICELAND

Bokaverzlun Sigfusar Eymondssonar H.F., Austurstraeti 18, Reykjavik.

INDIA

Oxford Book & Stationery Co., Scindia House, New Delhi and 17 Park Street, Calcutta.

P. Varadachary & Co., 8 Linghi Chetty St., Madras 1.

INDONESIA

Jajasan Pembangunan, Gunung Sahari 84, Djakarta.

IRAN

Ketab-Khaneh Danesh, 293 Saadi Avenue, Tehran.

IRAQ

Mackenzie's Bookshop, Baghdad.

ISRAEL

Blumstein's Bookstores Ltd., 35 Allenby Road, Tel-Aviv.

ITALY

Colibri, S.A., Via Mercalli 36, Milano.

LEBANON

Librairie Universelle, Beyrouth.

LIBERIA

J. Momolu Kamara, Monrovia.

LUXEMBOURG

Librairie J. Schummer, Luxembourg.

MEXICO

Editorial Hermes S.A., Ignacio Mariscal 41, Mexico, D.F.

NETHERLANDS

N.V. Martinus Nijhoff, Lange Voorhout 9, 's-Gravenhage.

NEW ZEALAND

United Nations Association of New Zealand, C.P.O. 1011, Wellington.

NORWAY

Johan Grundt Tanum Forlag, Kr. Augustsgt. 7A, Oslo.

PAKISTAN

Thomas & Thomas, Fort Mansion, Frere Road, Karachi.

Publishers United, 176 Anarkali, Lahore.

The Pakistan Cooperative Book Society, Chittagong and Dacca (E. Pakistan)

PANAMA

Jose Menéndez, Plaza de Arango, Panamá.

PARAGUAY

Moreno Hermanos, Asuncion.

PERU

Librería Internacional del Peru, Lima and Arequipa.

PHILIPPINES

Aleamar's Book Store, 749 Rizal Avenue, Manila.

PORTUGAL

Livraria Rodrigues, 186 Rua Aurea, Lisboa.

SINGAPORE

The City Book Store, Ltd., Winchester House, Collyer Quay.

SWEDEN

C. E. Fritze's Kungl. Hovbokhandel A-B, Fredsgatan 2, Stockholm.

SWITZERLAND

Librairie Payot S.A., Lausanne, Geneva.

Hans Raunhardt, Kirchgasse 17, Zurich 1.

SYRIA

Librairie Universelle, Damas.

THAILAND

Pramuan Mit Ltd., 55 Chakrawat Road, Wat Tuk, Bangkok.

TURKEY

Librairie Hachette, 469 Istiklal Cadesi, Beyoglu, Istanbul.

UNION OF SOUTH AFRICA

Van Schaik's Bookstore, Box 724, Pretoria.

UNITED KINGDOM

H.M. Stationery Office, P.O. Box 569, London, S.E. 1 (and at H.M.S.O. Shops).

UNITED STATES OF AMERICA

Int'l. Documents Service, Columbia Univ. Press, 2960 Broadway, New York 27, N. Y.

URUGUAY

Representation de Editoriales, Prof. H. D'Elía, Av. 18 de Julio 1333, Montevideo.

VENEZUELA

Distribuidora Escolar S.A., Ferrenquín a Cruz de Candelaria 178, Caracas.

VIETNAM

Papeterie-Librairie Nouvelle Albert Portail, Boîte postale 283, Saigon

YUGOSLAVIA

Drzavno Preduzece, Jugoslovenska Knjiga, Terazive 27-11, Beograd.

United Nations publications can also be obtained from:

AUSTRIA

B. Wüllerstorff, Waagplatz, 4, Salzburg.

Gerold & Co., I. Graben 31, Wien 1.

GERMANY

Elwert & Meurer, Hauptstrasse 101, Berlin—Schöneberg.

W. E. Saarbach, Gereonstrasse 25-29 Köln (22c),

Alex. Horn, Spiegelgasse 9, Wiesbaden.

JAPAN

Maruzen Company, Ltd., 6 Tori-Nichome Nihonbashi, Tokyo Central.

SPAIN

Librería Bosch, 11 Ronda Universidad, Barcelona.



UNITED NATIONS • NATIONS UNIES

United Nations Flag adopted by the General Assembly, October 20, 1947
Drapeau des Nations Unies, adopté par l'Assemblée générale, le 20 octobre 1947



Certain flags are not shown here in correct proportion or color, but are presented to conform with the majority.

Les dimensions relatives et les couleurs de certains drapeaux ont été modifiées pour correspondre à celles du plus grand nombre.