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**Chairman: Mr. Thanat KHOMAN (Thailand).**

**GENERAL DEBATE AND CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.504) (continued)**

**AGENDA ITEM 35**

**Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter: reports of the Secretary-General and of the Committee on Information from Non-Self-Governing Territories (A/3601 and Corr.1 and Add.1, A/3602, A/3603, A/3604, A/3605, A/3606/Rev.1, A/3607, A/3608, A/3609, A/3647 and Corr.1, A/C.4/360) (continued):**

- (c) General questions relating to the transmission and examination of information (A/C.4/357/Rev.1, A/C.4/359 and Add.1, A/C.4/L.504);
- (d) Offers of study and training facilities under resolutions 845 (IX) of 22 November 1954 and 931 (X) of 8 November 1955 (A/3618 and Add.1);
- (e) Methods of reproducing summaries of information concerning Non-Self-Governing Territories (A/3619)

1. Mr. JELEN (Poland) said that at the previous meeting his delegation had voted in favour of draft resolution B submitted by the Committee on Information from Non-Self-Governing Territories (A/3647, p. 11).

2. In view of the need for education among the peoples of the dependent territories, the Polish Government had granted ten scholarships to students from Non-Self-Governing and Trust Territories. Over twenty candidates had applied, ten of whom had been accepted. Only one of them, however, had arrived in Poland, where he was studying medicine and was also making good progress in the Polish language. All the other candidates had been refused travel documents. His delegation hoped that draft resolution B might contribute towards the utilization of such scholarships and had therefore voted in favour of it.

3. With regard to sub-item (c), the principal point at issue was the question of the transmission of information by the new Members of the United Nations. It was common knowledge that two of those new Members—Spain and Portugal—had Non-Self-Governing Territories under their administration and his delegation hoped that Spain would soon begin to transmit information in accordance with the spirit of the Charter and its obligations under Chapter XI. All the other new Members to whom the Secretary-General's note had been addressed<sup>1/</sup> had replied that there were no territories under their administration to which Chapter XI of the Charter applied. The only reply which had given rise to doubt had been that of the Portuguese Government (A/C.4/331, para.2), and since that question had not yet been settled the Committee was in duty bound to continue examining it.

4. The obligations laid down in the Charter, which had been voluntarily accepted by all Member States, were the very foundation of the United Nations. If Members did not fulfil their obligations, and if the United Nations failed to insist that they should do so, the legal force of the provisions of the Charter would be weakened. In the view of the Polish delegation there could not be the slightest doubt concerning the mandatory nature of the obligations laid down in Chapter XI, which applied to the United Nations as a whole as well as to each of its Members individually, and in particular to those which possessed colonies.

5. At the eleventh session of the General Assembly the question had arisen whether Portugal was responsible for the administration of any Non-Self-Governing Territories. That the meaning of the phrase "Non-Self-Governing Territories" as used in the Charter was clear and specific was evident in the light of the origins of Chapter XI. The historical reason for the inclusion of Chapter XI in the Charter had been the centuries of colonial domination. The peoples who had lived under colonial rule were today at various stages of development: some of them had long ago been liberated and today formed powerful States; others had recovered their independence more recently; some of them were Trust Territories; the remainder were the Non-Self-Governing Territories covered by Chapter XI of the Charter. There could be no question that the territories administered by Portugal belonged to that last category.

6. At the present time the scope of the United Nations competence in relation to questions covered by Chapter XI was being contested. The Polish delegation was convinced that the problem could only be solved by the recognition of the validity and the obligatory character of Chapter XI. During the twelve years of the United Nations existence the Organization's competence to determine the territories on which the Administering

<sup>1/</sup> See A/C.4/331 and Add.1 and 2, A/C.4/357/Rev.1.

of the hands of the United Nations. Such attempts were doomed to failure, for the colonial question had perforce assumed an international character as a result of the natural struggle of the colonial peoples for independence and the impact of that struggle on international relations as a whole. Far from diminishing, those factors were gaining momentum and would eventually lead to the disappearance of colonialism. There were numerous examples to illustrate that efforts to check the natural process of self-determination led to dangerous tensions in international relations. The questions of Algeria, Cyprus and West Irian were cases in point.

29. The Bulgarian delegation was convinced that the examination and settlement of such problems relating to the question under consideration could not be postponed indefinitely, even by such procedural manoeuvres as had been brought into play the previous year to prevent adoption of the draft resolution to which he had referred. The urgency of such problems impelled the Committee to discuss them and it was for that reason that they had been placed on the Committee's agenda.

30. Mr. DALLIER (France), speaking on a point of order, objected to the allusion by the Bulgarian representative to the question of Algeria, which had no place in the deliberations of the Fourth Committee.

31. Mr. ZIKRIO (Afghanistan) said that his delegation appreciated the excellent statement made by the Belgian representative at the 685th meeting and had the highest respect for the humanitarian ideals that he obviously held dear. He could not, however, accept the implication that other members of the Committee had not enough experience to allow them to criticize the Belgian Government's administration of the Congo. Since all members desired the advancement and welfare of dependent peoples such criticism could only be salutary and useful. If it were well-founded it would serve to enlighten the Member State concerned; if not, it would give that State opportunity to vindicate itself before world public opinion and would at the same time encourage moderation in the critics. He would add that in his opinion obstacles of a historic, economic or geographical nature were not a valid deterrent to outspoken comments which might further the Committee's aim of establishing a happier and more peaceful world.

32. With regard to sub-item (c) of the item under discussion, his delegation had examined document A/C.4/359 containing the exchange of correspondence between the Belgian Government and the Secretary-General. The assurances given by the Belgian Ministry of Foreign Affairs and by the Permanent Mission proved that the Belgian Government continued to recognize its obligation as an Administering Member under Article 73 of the Charter. It was also satisfactory to note that the report on the Belgian Congo for 1955 was now in the hands of the Secretary-General. It was to be hoped that the competent Belgian authorities would take the necessary steps to avoid any future delay in the transmission of information on the Congo and that the conciliatory attitude adopted by Belgium would serve as an example to the Administering Members which still refused to submit information on their dependent territories.

33. At the 676th meeting, he had made some observations with regard to education and would only add now

that the education of a backward people called for varied and effective measures. In the first place, it was essential to establish primary and secondary schools in all urban and rural centres, for the existence of a few schools in the large towns was not enough to ensure the accomplishment of the aims set forth in Chapter XI of the Charter. Broadcasts and documentary films in the vernacular would also be of use in raising cultural standards; in rural areas such methods could be applied by the use of mobile units. Although the scholarships offered under General Assembly resolution 845 (IX) were inadequate, they were nonetheless useful in promoting contact between different peoples and enabled young African students to become acquainted with different ways of life and points of view. Moreover, that method of education fully accorded with the aims of the United Nations Educational, Scientific and Cultural Organization and deserved to be applied on a wider scale.

34. Mr. ARAMBURU (Peru) said that his delegation did not agree with the interpretation given by the representative of Bulgaria to the statement made by the representative of Spain at the 670th meeting. The delegation of Spain, as several delegations had recognized, had made a statement on the transmission of information which was a credit to that great country. The delegation of Peru had no doubts in that respect and was certain that Spain would do what it had offered to do.

35. Mr. CARPIO (Philippines) said that in the view of his delegation sub-item (c) of the agenda item under consideration had two distinct aspects. Firstly, there was the question whether Article 73 e of the Charter applied to dependent territories on which information had not yet been voluntarily transmitted by the Powers administering them. Secondly, there was the question of the transmission of information on Territories which had already been recognized by the Administering Members concerned as coming within the scope of Article 73 e. Judging from some of the observations heard in the Committee and from the text of certain draft resolutions submitted, it seemed to him that there was a tendency to confuse those two aspects.

36. As attempt had been made during the previous session to set up an *ad hoc* committee for the purpose of studying the first aspect and it had been a source of satisfaction to his own delegation that it had been proposed as a member of that body. Yet at the 657th plenary meeting his delegation had felt obliged to vote against the draft resolution because of its conviction that such a resolution should be of general application rather than being restricted to newly admitted Member States. In that connexion he recalled that the original list of dependent territories coming within the scope of Article 73 of the Charter as given in General Assembly resolution 66 (I) had omitted the names of a number of territories which many delegations felt should have been included. Neither the Committee nor the General Assembly in plenary session had ever subsequently questioned the omission of those territories. If a draft resolution applicable to all such territories were submitted, his delegation would find no difficulty in supporting it.

37. Turning to the second aspect of the question, he said that it was a matter of regret to his delegation that in the cases where information was voluntarily submitted by the Administering Members it was often not sufficient to enable the United Nations to ascertain

in what way and to what extent the doctrine of the sacred trust was being put into effect. Furthermore, in at least one recent case it had been transmitted too late to give the Committee an opportunity to examine it. Another very important consideration was the fact that, except in a few instances, the Administering Members had not heeded the General Assembly's repeated requests for political information but had taken refuge behind the legal technicality that Article 73 e did not stipulate that such information should be transmitted. Anyone who read Article 73 in its entirety would realize that the right to administer the territories in question was predicated on the fact that the peoples of those territories had not yet attained a full measure of self-government. Sub-paragraph a of Article 73 called upon the Administering Members to ensure the political advancement of those peoples, while sub-paragraph b stipulated that it was the responsibility of those Members 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. In the light of those provisions his delegation contended that the Administering Members were under a moral if not legal obligation to submit political information so that the United Nations could judge whether Article 73 of the Charter was being complied with. The obligation to promote the political advancement of the peoples of the Non-Self-Governing Territories implied an obligation to transmit the corresponding information. Moreover, it would seem that if the Administering Members were fulfilling their obligations they should be eager to let the world know it; their refusal to submit political information might understandably give rise to the suspicion that they had something to conceal. If the good faith of the Administering Members had been impugned at times in the past, the responsibility lay with those

who had refused to make it possible for the General Assembly to assess the progress being made.

38. The statement made by the Belgian representative at the 685th meeting seemed to imply that those Member States which did not administer Non-Self-Governing Territories were not in a position to criticize the statements of policy made by the Administering Members, whose representatives were experts in matters concerning those Territories. Countries like his own, however, which had only recently been liberated from colonial domination, knew something of the problems and aspirations of dependent peoples and for that reason felt that they could make a constructive contribution to the discussion. As they had no political or economic interest in the administration of such Territories, it was to be hoped that their observations would be recognized as unbiased.

39. He did not fail to appreciate the fact that since the doctrine of the sacred trust had been enunciated the peoples of the dependent territories had progressed much more rapidly than at any time in the past and that conditions had improved considerably, although the rate of development unfortunately varied from one territory to another. It should be borne in mind, however, that that doctrine embodied three principles: firstly, the paramountcy of the interests of the indigenous inhabitants; secondly, the obligation to promote their well-being, not to a limited degree only but, in the words of the Charter, to the utmost; and thirdly, the ultimate objective of self-government, which did not preclude, but in the understanding of many delegations was tantamount to, independence. It was to be hoped that the Administering Members would be constantly guided by those principles in their administration of the Non-Self-Governing Territories.

The meeting rose at 12.30 p.m.