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Chairman: Mr. Santiago PEREZ PEREZ (Venezuela).

Cessation of the transmission of information under Article 73 e of the Charter on Puerto Rico: report of the Committee on Information from Non-Self-Governing Territories (A/2465, A/C.4/L.300, A/C.4/L.301, A/C.4/L.302) (*continued*)

[Item 34 (b)]*

1. Mr. PACHACHI (Iraq) said that he had voted in favour of the Indian amendments (A/C.4/L.301) at the preceding meeting because there was no justification for the cessation of the transmission of information regarding Puerto Rico at the present time. Puerto Rico could not be regarded as a territory that had attained a full measure of self-government within the meaning of Chapter XI of the Charter or of the list of factors adopted by the Committee (A/C.4/L.279).
2. Without going into the various detailed aspects of the problem, he would merely bring out some basic features of Puerto Rico's Constitution from which it was clear that the territory could not be regarded as completely self-governing.
3. First, the United States Congress reserved the right to pass legislation on economic, social and educational matters affecting Puerto Rico, while the Puerto Rican legislature could enact such legislation only with certain limitations. That could be clearly seen from the provisions of the Organic Act of 1917, subsequently amended and now called the Puerto Rican Federal Relations Act, which was continued in force by Public Law 600 adopted by the 81st Congress. Section 3 of that act set the limit for the public debt of Puerto Rico and laid down some other restrictions on the issuance of bonds by the Puerto Rican Government. That was a serious limitation, as the floating of bonds and other public loans was necessary to carry out economic programmes. In any case, if limits were necessary, they should be set by the Puerto Rican legislature and not by the United States Congress. Moreover, under section 9 of the same act, all laws passed by the United States Congress automatically applied to Puerto Rico, except where otherwise pro-

* Indicates the item number on the agenda of the General Assembly.

vided. Mr. Fernós Isern had pointed out that laws providing co-operation between the Federal Government and the states of the Union for some economic, social and health questions were extended to Puerto Rico. That was done without the prior approval of the Puerto Rican legislature, as was the case with the social security system of the United States. It had been pointed out that the United States Congress could pass legislation applicable to the various states of the Union. That argument was irrelevant in view of the fact that those states differed basically from Puerto Rico in that they were represented in the two houses of the Federal Congress on the basis of equal rights, whereas Puerto Rico had only one representative in the House of Representatives, who had no right to vote. Puerto Rico was consequently partly governed by legislative acts enacted by organs in which it was not properly represented, which was a serious impediment to its autonomy.

4. Secondly, and what was much more important, the United States Congress could at any time amend the Puerto Rican Federal Relations Act, which governed the relations between the two countries. It could hardly be said that there was a contractual agreement between Puerto Rico and the United States which could be altered only with the consent of the two parties; various facts pointed to a more restricted and more logical interpretation, which was that the contractual agreement did not prevail over the laws of Congress and had never been meant to do so since it was subject to the limitations established by those laws.

5. Lastly, the Puerto Rican population could not change its constitutional status at will; the prior agreement of Congress was necessary. There were therefore serious grounds for doubting that the territory had attained a full measure of self-government since the right in question was one of the basic attributes of sovereignty.

6. The Iraqi delegation did not wish to criticize the decision of the people of Puerto Rico, to question the democratic character of the procedure whereby they had expressed that decision, or to analyse the argument that the present status of Puerto Rico offered greater advantages than some other system it might have chosen. The fact remained that the Puerto Rican people had not chosen complete self-government. Moreover, the delegations that had felt that the United States was justified in discontinuing the transmission of information on Puerto Rico had recognized that the territory was not completely self-governing. In accepting a limitation on its sovereignty within the framework of an association with the United States, Puerto Rico had decided against self-government, and thus continued to come within the meaning of Chapter XI.

7. The Iraqi delegation felt that self-government within the meaning of that chapter meant complete self-government without any limitation, and that the transmission of information could be discontinued only when the territory in question had achieved such a status.

That was why it had voted, at the 347th meeting, against the cessation of the transmission of information on the Netherlands Antilles and Surinam, after the Netherlands representative had admitted that the two territories were not yet completely self-governing, and why it had voted, at the previous meeting, against the cessation of the transmission of information relating to Puerto Rico, after the United States delegation and Mr. Fernós Isern had acknowledged that the self-government of that territory was limited.

8. The Iraqi delegation had the warmest regard for the Puerto Rican people and felt much closer to it than some of its pretended champions, in particular in view of the glorious past shared by the Arab people and the Spanish people from which Puerto Rico derived its cultural heritage. It paid a tribute to the work done by the United States in that territory and to the tradition of liberty and generosity of the people of the United States, but regretted that the position of the United States delegation on many other questions was not always in conformity with that tradition. An example of that inconsistency was the vote cast at the 455th plenary meeting by the United States delegation against an appeal by the General Assembly that the right of the Moroccan people to free democratic institutions should be ensured. That was contrary to the assertion contained in the Presidential message to Congress transmitting the Constitution of Puerto Rico, to the effect that the United States was giving a further example of its adherence to the principle of self-determination and the cause of freedom and democracy.

9. Mr. PIGNON (France) said that by adopting, at its 330th meeting, a new list of factors (A/C.4/L.279) instead of a definition of self-government, which had been regarded, prematurely perhaps, as impossible, the Committee had courted the difficulties by which it had since been beset in all its debates. The discussion on Puerto Rico had been limited specifically to resolution 648 (VII). Yet that resolution had been left far behind and was of little importance. In fact, two new concepts had dominated the debate and given it meaning: that the terms "a full measure of self-government" and "independence" were equivalent; and that independence was a prior and essential requirement for any kind of association. The concept that self-government was indivisible had already caused certain facts to be disregarded. Recourse to the two new philosophical, not to say metaphysical, concepts had made it impossible for the Committee to come to grips with reality, as they were based on a sophism and caused the Committee to lose itself in abstractions; if the Committee did not wish to push the existing disagreement to a break, it would do well to abandon notions which had seemed obsolete from the start. In so doing it would also avoid the accusation of bourgeois neo-positivism, which the Polish representative had defined with more clarity than appropriateness.

10. The meaning of the concepts of independence and freedom was definite, complex and subjective. Peoples were like individuals in that regard; it was perfectly legitimate to decide deliberately and after due reflection to relinquish freedoms that were more theoretical than real because they could not be exercised in practice, in order to be better able to develop and protect other freedoms on which collective intellectual development was predicated. The reasons for a union could be understood only by the parties concerned and, in the case at issue, the United Nations, which morally was

not and legally could not be *in loco parentis*, was not called upon to give its consent or even its blessing. The erroneous premise on which the debate had been based had confused the whole discussion, and in persisting in its dogmatic and uncompromising attitude, the Committee had been led into a confused and contradictory vote which had done nothing to enhance the prestige of the United Nations. Before affirming that it was legally competent to rule on any question, the Committee would do well to determine whether it was morally and intellectually qualified to do so. The over-ambitiousness of the majority had only resulted in discrediting and nullifying what some delegations had been ready to accept in previous resolutions.

11. During the debate, inaccurate and sometimes unfair judgments had been passed; the French delegation deeply regretted that fact, not for the sake of the United States Government, which had certainly acted after due consideration and in good faith, but for the sake of the Puerto Rican people and its leaders, who had been faced with heavy responsibilities. They had weighed those responsibilities carefully; they had taken no arbitrary or hasty decision, and they had remained constantly informed of the desires of the people by free consultation through democratic procedures. They could hardly be criticized for having obeyed the most compelling and unalterable principle of statesmen, which was, in the words of the Latin maxim, *salus populi suprema lex*.

12. Those considerations clearly explained the vote of the French delegation, which had endeavoured to be realistic without sacrificing its principles. The French delegation would have preferred to take no part in the vote and the debate, since the French Government had categorically and definitely denied the General Assembly's competence to act in matters falling within the domestic jurisdiction of States. Nevertheless, since the debate had taken place and the administering Power concerned had agreed to it, subject to certain reservations clearly stated on various occasions, the French delegation had considered it its duty to protest against the new conformism which would unduly limit the freedom of peoples and to express its profound and sincere goodwill towards the Commonwealth of Puerto Rico.

13. Mr. ABOU-AFIA (Egypt) said that after studying the documentation he had concluded, first, that the Puerto Rican people had exercised its right of self-determination by the use of methods which left no serious doubt that it had been free and able to express a valid opinion; and secondly, that the new Constitution guaranteed to it complete political self-government. Nevertheless, in order to exercise its right of self-determination to the fullest extent, a people should, if it wished, be able to choose independence. He regretted that the Puerto Rican people had not had that choice. Moreover, Puerto Rico's self-government was impaired by the powers of the United States to intervene in the territory's economic life. In so far as Puerto Rico was subject to laws promulgated by a foreign legislature, its self-government was limited. It was true that those limitations applied to its economic life; but they nevertheless seriously affected its constitutional self-government.

14. For those reasons, and because of the complexity of the problem, his delegation had been in favour of the amendment in document A/C.4/L.302 which had properly called for a more thorough study of the matter. For the same reasons, it had been compelled to abstain

on the draft resolution (A/C.4/L.300), which dealt—in its view prematurely—with the substance of the question.

15. Mr. ARAOZ (Bolivia) said that his Government was opposed to all colonialism which took the form of exploitation of the local population. That was not the case with Puerto Rico and the United States, and he had therefore voted for the draft resolution, including the paragraphs which recognized that the United States should no longer submit information on that territory. The most obvious form of popular sovereignty was the exercise of the right to vote. The Puerto Rican people had, by exercising that right, chosen to become a Commonwealth. In addition, Puerto Rico had all the characteristic attributes of a State. Lastly, the United States Government had set a commendable example of liberal action. Those reasons had determined his vote. He had voted against the Indian amendment, which would have unwarrantedly delayed the settlement of the question, and had supported the joint amendment (A/C.4/L.302) in the belief that the General Assembly was competent to decide whether a territory had attained a full measure of self-government.

16. His delegation wished to express its goodwill towards the Puerto Rican people and to wish it a happy future.

17. Mr. SCHÜRMAN (Netherlands) thought that since the United States Government had decided to cease transmitting information on Puerto Rico, the Committee could only take note of that decision. It was not its duty to verify that Puerto Rico had attained a full measure of self-government; since the territory had become self-governing as regards economic, social and educational matters, the United States Government could no longer transmit information on them without violating the Constitution of Puerto Rico and the Act of Congress by which it had been approved. In fact, the freely elected Government of Puerto Rico wished the transmission of information to cease. His position on Puerto Rico was governed by the same arguments as those he had put forward (343rd meeting) in the case of the Netherlands Antilles and Surinam. He noted with satisfaction that a number of delegations had expressed like opinions on Puerto Rico and regretted that they had not taken the same view in the debate on the Netherlands Antilles and Surinam.

18. His delegation had voted against both the Indian amendments and the joint amendments, and, inasmuch as the first of the latter had been adopted, had been unable to vote for the draft resolution as amended. Contrary to the statement contained in the report on the debate published in the *New York Times* on 6 November, his delegation had abstained; it had voted against the first of the joint amendments and against paragraph 8 of the operative part of the draft resolution solely because those provisions maintained that the General Assembly was competent to decide whether or not an administering Power was entitled to cease the transmission of information on a territory under its administration, a view which the Netherlands delegation had always opposed.

19. Sir Douglas COPLAND (Australia) explained that his delegation's vote against the draft resolution as a whole, including the joint amendment to the preamble, should not be interpreted as a criticism of the decision taken by the United States Government, which had acted in full accordance with its powers and obliga-

tions in informing the United Nations of the developments which had caused it to cease transmitting information on Puerto Rico. He would have voted for any resolution recognizing the right of the United States to do so, but he had been unable to support a resolution which implied that the General Assembly was competent to decide whether the cessation was justified.

20. His delegation had defended the same view when the Committee had examined the case of the Netherlands Antilles and Surinam. The cases of Puerto Rico and the Netherlands territories were similar, and the same principles should have been applied to both. He associated himself with the French representative's remarks. The Australian delegation had always been and would continue to be consistent, an attitude which it warmly recommended to some delegations which would have been hard put to it to explain why they were taking a stand different from the one they had taken in a similar case. He regretted that, as a result, at its next session the Committee would have to begin its work on that item all over again, unless the item were removed from its agenda.

21. Mrs. SKOTTSBERG-AHMAN (Sweden) said that the Swedish delegation had abstained on paragraph 8 of the operative part of the draft resolution not because it did not subscribe to the view that the United States was perfectly justified in ceasing the transmission of information on Puerto Rico, but because that paragraph implied that the General Assembly was competent to judge the decision of an administering Power to cease the transmission of information. It had voted against the addition of a new paragraph to the preamble, as proposed in the joint amendment, because that paragraph explicitly stated that the General Assembly was competent to decide in the matter, in utter disregard of the administering Power's views. Her delegation did not recognize that exclusive competence. Furthermore, it did not think that the concept of a full measure of self-government, which a number of members considered synonymous with complete independence, should figure in a resolution concerned only with matters arising out of Article 73 e of the Charter. Since that paragraph had been adopted, her delegation had been unable to support the amended text of the draft resolution as a whole. However, since it had been in agreement with the main purpose of the draft resolution and prepared to take note of the United States Government's decision, it had not wished to vote against the resolution as a whole in its final form, and had abstained.

22. Mrs. BOLTON (United States of America) observed that her delegation had favoured the draft resolution in its original form, when it had expressed the General Assembly's agreement with the decision reached by the United States Government that Puerto Rico had ceased to be a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter. She had, however, been obliged to abstain because of the adoption of the joint amendment, which clearly asserted the competence of the General Assembly. In fact, the argument in favour of the original draft resolution—that it recognized facts—had become no longer true.

23. In dealing with that item of its agenda, the Fourth Committee had attempted simultaneously to judge the case of Puerto Rico, which, viewed solely on its merits, had the support of a large majority of the Committee, and to establish the competence of the General Assembly in the question of the cessation of the transmission

of information under Article 73 e of the Charter. For that reason, a number of delegations had been deprived of the opportunity of voting solely on the merits of the case. It would have been preferable to consider the two questions separately and not to take advantage of the consideration of a particular case to raise the issue of competence.

24. Mr. LANNUNG (Denmark) congratulated the United States Government and the Puerto Rican people on the decisive progress achieved by Puerto Rico; having himself visited that country, he had a very pleasant memory of it and of progress and development there.

25. In order to dispel misunderstanding, he stated that his delegation had always been and still was ready to take note of the fact that Puerto Rico no longer came within the scope of Chapter XI of the Charter and that the United States therefore could no longer transmit information on it under Article 73 e. His delegation would have preferred to support a resolution drafted in those terms.

26. Those considerations, and the reasons of principle on which the Danish Government based its attitude to the claim that the General Assembly had exclusive competence in matters concerning the Non-Self-Governing Territories, had impelled the Danish delegation to vote against the amendment to the draft resolution and to abstain from voting on certain paragraphs of document A/C.4/L.300. He had not voted against those paragraphs, as had wrongly been stated. It should be added that the contents of two or three of the paragraphs in that document, in particular paragraph 9, went somewhat beyond the framework of a draft resolution of that kind.

27. Since the first of the amendments in document A/C.4/L.302 had been adopted, the Danish delegation had been obliged, to its deep regret, to abstain when the Committee voted on the draft resolution as a whole.

28. Mr. GUTIERREZ GUTIERREZ (Costa Rica) said that the delegation of Costa Rica had not abstained in the vote on the first of the amendments in document A/C.4/L.302 because it doubted the General Assembly's competence to decide whether a territory had attained the full measure of self-government referred to in Chapter XI of the Charter, but merely because it considered it superfluous to affirm the General Assembly's competence in each case. He noted with satisfaction that the majority of the members of the Committee had admitted the soundness of the view which recognized the competence of the General Assembly.

29. Mr. SCOTT (New Zealand) considered that the development of Puerto Rico, which had been rendered possible by the generous help of the United States Government as well as by the sustained endeavours of the Puerto Ricans, was a striking example of democracy in action, which the free peoples would be glad to endorse and which would sustain the hopes of dependent peoples everywhere.

30. As it had stated in the Committee on Information from Non-Self-Governing Territories, the New Zealand delegation considered that it was both fitting and equitable for the United Nations to recognize that Puerto Rico had achieved self-government in accordance with the freely expressed wishes of its people, and for it to take note of the decision of the United States Government to cease transmitting information on that

territory. That was why the New Zealand delegation had voted against the second of the amendments submitted by the five Powers (A/C.4/L.302). It had also voted against the first of those amendments, asserting the competence of the Assembly, as it felt that rigid insistence on a point of view of doubtful validity which found no firm support in the Charter would not assist the Committee in reaching a workable compromise as to the interpretation of Chapter XI which would be likely to promote the welfare of the dependent peoples.

31. From the point of view of self-government, the position of Puerto Rico was not essentially different from that of the Netherlands Antilles and Surinam; it was therefore, a pity, that the Committee had not adopted a broadly similar conclusion in the latter case. The two decisions seemed inconsistent. While the list of factors had scarcely been mentioned in the discussions on Puerto Rico, much had been made of it in the arguments against recognition of self-government in respect of the Netherlands Antilles and Surinam. That revealed the limitations of the list as it then stood, and he hoped it did not presage the application of the list in a partial manner.

32. There was no need for further delay since every delegation, after having studied the abundant documentary material, should be in a position to form an opinion on the subject. The Indian amendment, proposing that consideration of the question should be postponed till the following session of the General Assembly, was therefore unjustified.

33. Although it had voted for General Assembly resolution 222 (III), the New Zealand delegation had abstained on the first paragraph of the preamble to the draft resolution because the words "or inappropriate", which did not appear in resolution 222 (III), had been added without explanation. It had also abstained in paragraph 4 of the operative part, because it did not understand what was meant by a right of self-determination. Similarly, it had abstained from voting on paragraphs 5 and 6, which raised obliquely the issue of the General Assembly's competence, and it had voted against paragraph 8 for the same reason.

34. In conclusion, he thanked the people of Puerto Rico for their contribution to the maintenance of collective security in Korea, and he wished them success in the future.

35. Mr. MATHIESON (United Kingdom) said that while he agreed with the representative of Brazil in believing that the Committee's work should be based on a sound legal interpretation of the Charter, he did not think there was anything in Chapter XI that would deprive an administering Power which had voluntarily undertaken to transmit information concerning the territories it administered of the right to cease such transmission when it considered itself no longer under any obligation in that respect. That was why the delegation of the United Kingdom, which had not taken any part in the discussions relating either to the Netherlands Antilles and Surinam or to Puerto Rico, had voted against all the parts of the draft resolution which arrogated to the General Assembly the right of decision in such matters. It had, however, merely abstained when the draft resolution as a whole had been put to the vote, because it had felt that a vote against a text which respected the decision of the United States Government might be misunderstood as indicating some doubt in the delegation's mind regarding the real status

of Puerto Rico. In his delegation's view the draft resolution was unnecessary and ineffectual, whatever its substance.

36. Mr. IRGENS (Norway) said he had voted against all the amendments to the seven-Power draft resolution, particularly the amendment which affirmed the competence of the General Assembly for the purposes of Chapter XI. Since the Sixth Committee had just adopted a draft resolution (A/C.6/L.313) calling upon the Secretary-General to prepare an appropriately indexed repertory of the practices followed by the organs of the United Nations in interpreting the provisions of the Charter, which would throw light on the history of the Charter and serve as a guide to its interpretation, it might be wiser to postpone discussions on such controversial issues until the Committee had received the documentation in question. Since the amendment referred to had been adopted, the Norwegian delegation had not been in a position to support the draft resolution, as had first been intended, and had therefore abstained.

37. Mr. RIVAS (Venezuela) explained that the Venezuelan delegation had voted for the whole of the preamble to the seven-Power draft resolution. It had also voted in favour of paragraph 2 of the operative part, for Puerto Rico had clearly chosen in complete freedom and by democratic means the form of its association with the United States as a free State. Similarly, his delegation had approved paragraph 3, for it recognized an undeniable legal fact, namely that an agreement had been concluded between the two countries, and it affirmed that Puerto Rico had chosen its status, thus effectively exercising its right of self-determination. The Venezuelan delegation had voted for paragraph 7, which stated an obvious fact. It had voted for paragraph 9, as it firmly believed that the status of Puerto Rico would enable a people which was related by bonds of brotherhood, to the people of Venezuela to achieve continuous progress towards a full measure of self-government.

38. On the other hand, the Venezuelan delegation had abstained in the vote on paragraphs 5, 6 and 8 of the operative part, which in its view did not have a sufficiently sound legal basis and which were too categorically worded. True to the attitude it had adopted in all sessions of the General Assembly, the Venezuelan delegation held that the reason for Chapter XI of the Charter was the existence of dependent territories advancing towards self-government with the help of the administering Powers. A full measure of self-government was not necessarily synonymous with independence, but could assume the other forms indicated in the list of factors. The Venezuelan delegation, however, could not forget that it had helped in drafting General Assembly resolution 648 (VII), which stated, in paragraph 3 of its operative part, that the factors 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. Furthermore, it appeared from the relevant documentary material and from the statements by the competent authorities that the limitations imposed on Puerto Rico had never, in fact, been applied and that the people of Puerto Rico enjoyed what in practice did amount to a full measure of self-government. The Venezuelan delegation had therefore not wished to vote against the draft resolution as a whole, since it firmly believed that the United

States would continue to promote the development of Puerto Rico, which would thus attain to complete freedom, as had been the case with the Philippines.

39. Mr. ITANI (Lebanon) said the position of Puerto Rico was quite different from that of the Netherlands Antilles and Surinam. Puerto Rico was a territory which had chosen its political status without compulsion and by democratic means and which had freely elected its representatives and rulers. Nevertheless, since the United States Congress, in which Puerto Rico was not represented, still held the power to legislate for Puerto Rico in certain matters, and since Puerto Rico had not been given the opportunity to choose independence, the Lebanese delegation considered that that country had not yet achieved a full measure of self-government. The seven-Power draft resolution would therefore have been acceptable only if it had been amended on the lines indicated by the Indian delegation, so as to take fully into account the factors mentioned in the list of factors, which the Lebanese delegation had supported. He had, however, voted for certain paragraphs which were compatible with the general principles to which the Lebanese delegation had remained faithful throughout the discussions in the Committee, more particularly the paragraph contained in the first amendment in document A/C.4/L.302, affirming the competence of the General Assembly in matters relating to the Non-Self-Governing Territories.

40. Those were the reasons why the Lebanese delegation had abstained from voting after the rejection of the Indian amendment to the seven-Power draft resolution.

41. He wished to congratulate the Puerto Rican people and to thank the United States Government for the considerable progress already achieved in Puerto Rico. He expressed the hope that the people of Puerto Rico would always be in a position to make freely any changes in their existing status which they considered necessary for the achievement of their national aspirations.

42. Mr. S. S. LIU (China) said the Chinese delegation had voted for the draft resolution for the same reasons which had induced it to vote, in the Committee on Information, for the resolution on the cessation of the transmission of information on Puerto Rico (A/2465, part one, para. 97). Nothing in the documentary material provided by the United States Government or in the arguments advanced during the general debate had induced it to alter its position. That position had been decided on after a study of the various factors which justified the conclusion that Puerto Rico enjoyed not only economic, social and cultural self-government but also political self-government. It was especially interesting in that connexion to observe that the United States had given the Puerto Ricans the opportunity to express their will freely and by democratic process; that was a genuine example of the application of the right of peoples to self-determination, which deserved to be followed by other administering Powers. According to the relevant documents and the statements of official representatives, the last traces of colonialism had disappeared in Puerto Rico, which was beginning a new era in its history and therefore no longer came within the scope of Chapter XI of the Charter. The cessation of the communication of information referred to in Article 73 e thus seemed completely justified. The Chinese delegation had therefore voted for the seven-Power draft resolution and against the amendments proposed to it, with the exception of the first amend-

ments in document A/C.4/L.302, reaffirming the competence of the General Assembly to decide whether a territory had or had not attained a full measure of self-government, in conformity with his delegation's traditional stand.

43. He warmly congratulated the Commonwealth of Puerto Rico on its acquisition of that status and the Government of the United States on its enlightened policy which had contributed to that development.

44. Mr. VILLAMIL (Honduras) said that although it had voted for the preamble to the seven-Power draft resolution and for certain paragraphs of the operative part of that draft, the delegation of Honduras had been obliged, owing to the rejection of amendments 2 and 3 in document A/C.4/L.302, to vote against the draft resolution in its final form in order to reconcile historical reality with the position it had adopted in the case of the Netherlands Antilles and Surinam. In taking that decision, his delegation had been guided by the feeling of solidarity which united the peoples of Latin America, by its anti-colonialist policy and by certain considerations of principle. Its vote in no way meant that it did not recognize the legitimacy of the aspirations of the Puerto Rican people, for which it felt great sympathy and whose economic, social, cultural and political development, achieved thanks to the generosity of the United States, evoked its admiration. Whilst his delegation intended to respect the free decision by which the Puerto Rican people had adopted commonwealth status, it hoped that Puerto Rico would soon take its place in the community of independent nations.

45. Mr. FRAZAO (Brazil) said that his delegation had been unable to accept the proposed amendments to the draft resolution of which it had been one of the sponsors.

46. It failed to see why the Indian delegation should request the deletion of the word "favourably" in paragraph 1 of the operative part of the draft resolution; that word merely expressed the Committee's approval of the conclusions of the Committee on Information. Moreover, it did not think that the Committee should delegate to an *ad hoc* committee the task of taking a decision in the case of Puerto Rico. The appointment of an *ad hoc* committee overlapping with the Committee on Information would undermine the prestige of the latter and would give rise to doubts as to the need for that body, which the Assembly would then have no reason to maintain on a permanent basis when, in two years' time, it was called upon to determine its fate.

47. The first amendment in document A/C.4/L.302 added nothing to the content of the original draft: as the Belgian representative had said, paragraphs 7 and 8 of the operative part of the draft established the principle of the General Assembly's competence; the addition of a paragraph of the kind proposed in that amendment could only result in a dispersal of the votes by giving several delegations a pretext for a negative vote.

48. He noted, in conclusion, that the third of the amendments submitted by the five Powers (A/C.4/L.302), extended to the United States the same courteous invitation which his delegation would have liked to extend to the Netherlands Government in the case of the Netherlands Antilles and Surinam, and which the Committee had rejected.

Draft report of the Fourth Committee on agenda items 32, 33 and 34 (A/C.4/L.278)

49. Mr. RIFAI (Syria), Rapporteur, presented the draft report setting forth the decisions taken by the Committee on General Assembly agenda items 32, 33 and 34 (a) and said that the decisions relating to item 34 (b) would be the subject of an addendum. In accordance with established practice, the draft report was a purely administrative document and therefore did not, except where expressly requested by the delegations concerned, contain the views of delegations, which appeared in the summary records of meetings.

50. The CHAIRMAN proposed that the Committee should consider the draft report section by section.

Paragraph 1 was adopted.

51. Mr. MENDOZA (Guatemala) felt that the wording of paragraph 11 was not in accordance with established practice, since it mentioned the statement made by one delegation, but not those made by other delegations. As the issue was a controversial one, it did not seem proper to retain the paragraph in question.

52. Mr. RIFAI (Syria) explained that the Brazilian delegation had expressly requested during the debate that its statement should appear in the Committee's report. Delegations were entitled to make such requests, which were always acceded to. If the Guatemalan delegation wished to add a statement to paragraph 11, it was entitled to propose it.

53. Mr. FRAZAO (Brazil) thanked the Rapporteur for having included his statement in the draft report, as requested. He pointed out to the Guatemalan representative that the statement mentioned should not be interpreted as opposition to the approval of the list of factors, but merely as proof that the Brazilian delegation had sought to facilitate the Committee's work. He requested that his statement should be retained in the draft report.

54. Mr. MENDOZA (Guatemala) pointed out that to mention in the report that the Brazilian delegation had decided to maintain its draft resolution because in the event that its operative paragraph 2 were adopted, that would have the effect of annulling the amended list of factors, involved quite serious consequences. It was in fact questionable whether the approval of one thing was sufficient to annul another.

55. His delegation did not request the addition of a paragraph expressing an opinion contrary to that of the Brazilian delegation, because the draft report should not reflect a controversy. Moreover, all the statements which had been made during the debate, including that of the Brazilian delegation, already appeared in the summary records of the meetings.

56. His delegation therefore formally proposed the deletion of paragraph 11.

57. The CHAIRMAN put the Guatemalan proposal to the vote.

That proposal was rejected by 14 votes to 11, with 19 abstentions.

58. Mr. DORSINVILLE (Haiti) asked for a correction to be made in the French text of paragraph 13, where it was stated that he had requested at the 330th meeting that the amendment set out in document A/C.4/L.273 should be voted on in two parts. According to the provisional translation of that document, which he had had before him at the time, the amendment had been worded as follows: "*Approuve la liste de facteurs*

qui est jointe en annexe comme partie intégrante de la présente résolution." If he had proposed that the vote on the text shown in the draft report should be taken in two parts, his proposal would have been absurd.

59. Mr. RIFAI (Syria) acknowledged the correctness of the Haitian representative's remark and would see that the passage in question was corrected.

Paragraphs 2 to 15 were adopted.

Paragraphs 16 to 18 were adopted.

60. Mr. MENDOZA (Guatemala) pointed out an error at the end of the Spanish text of paragraph 28. The word "lo" should be replaced by the words "dicho informe".

61. The CHAIRMAN said that the necessary correction would be made.

Paragraphs 19 to 29 were adopted.

Paragraphs 30 to 36 were adopted.

Paragraphs 37 and 38 were adopted.

62. Mr. MENDOZA (Guatemala) made the same remark in connexion with paragraphs 40 and 41 that he had made in the case of paragraph 11. He felt that the information furnished in those two paragraphs had no place in the Committee's report. The report should be objective, and should therefore not express only certain opinions. The summary records set forth the various statements which had been made during the debate, including that of the Assistant Secretary-General. His delegation therefore proposed the deletion of paragraphs 40 and 41.

63. Mr. RIFAI (Syria) stated that there had been two main reasons for the inclusion of paragraphs 40 and 41. First, the question was new and outside the scope of those already discussed, and it therefore seemed proper to report on it in somewhat greater detail. Secondly, as had been stated during the debate, that question also came within the purview of the Fifth Committee; it should therefore be set forth in detail in the report.

64. If the Committee wanted those paragraphs condensed, he would have no objection, but he still thought that they were useful as they stood.

65. Mr. L. S. BOKHARI (Pakistan) recalled that he had made a special request on that occasion, as it had been feared that the provisions of the draft resolution might to some extent embarrass the Secretary-General in the exercise of his functions. In order that the Secretary-General should not be in doubt, he had on that occasion said that his statement had the support of all the co-sponsors of the draft resolution.

66. The CHAIRMAN put the Guatemalan representative's proposal for the deletion of paragraphs 40 and 41 to the vote.

The Guatemalan proposal was rejected by 18 votes to 5, with 24 abstentions.

Paragraphs 39 to 44 were adopted.

67. Mr. MENDOZA (Guatemala) thought that paragraph 45 did not give an accurate idea of what had occurred: it should be stated that the Indian representative had requested that consideration of agenda item 32 should not be closed.

68. Mr. RIFAI (Syria) stated that the Indian representative had proposed a formula to correct the paragraph in question. Paragraph 45 could therefore begin as follows: "The representative of India proposed that the item should be kept open. At the request of the delegation of the Dominican Republic, the representa-

tive of India stated that the purpose of her proposal to keep the item open was to consider the question of Central African Federation, which affected the future of the two Non-Self-Governing Territories Nyasaland and Northern Rhodesia, which would form part of the Federation". The paragraph would then continue as worded at present.

69. Mr. MATHIESON (United Kingdom) stated that he was willing to accede to the Guatemalan representative's request for improvement of the paragraph to render it historically more accurate. He proposed the following approximate wording: "The delegation of India requested that consideration of this item should not be closed. The United Kingdom delegation moved closure. The Committee decided by vote that the item should be kept open".

70. As the Rapporteur had said, the document before the Committee was a purely administrative one; it should therefore be objective. If the United Kingdom amendment just proposed was not accepted, he would ask for a few minutes' time for reflection before proposing another amendment to paragraph 45.

71. Mr. DE MARCHENA (Dominican Republic) stated that he did not wish his delegation's name to be connected with that matter in the report. He considered it to be irrelevant in that document.

72. Mrs. MENON (India) stated that the amendment she had proposed to paragraph 45 of the report was not intended to reflect upon anybody, but merely to render the paragraph more accurate and more understandable. Independently of the summary records, the report should faithfully reproduce the decision taken by the Committee.

73. Mr. RIFAI (Syria), proposed that paragraph 45 should begin with the following text: "The representative of India proposed that the item on information from Non-Self-Governing Territories should be kept open. The purpose of its proposal to keep the item open, she explained, was to consider the question of Central African Federation". No reference would be made to the nature of that Federation or to its possible consequences.

74. Mrs. MENON (India) accepted that formula.

75. Mr. MATHIESON (United Kingdom) was under the impression that the Indian representative had requested that the consideration of the item should not be closed in order to enable the Committee to study the economic, social and cultural conditions prevailing in Northern Rhodesia and Nyasaland. Since the Indian delegation accepted the formula just proposed by the Rapporteur, his delegation would also accept it in order to contribute to the smooth progress of the discussions.

Paragraph 45, as amended, was adopted.

Paragraphs 46 to 57 were adopted.

The draft report of the Fourth Committee (A/C.4/L.278) as a whole, as amended, was adopted.

76. Mr. MENDOZA (Guatemala) requested that the summary record of the meeting should mention his delegation's vote against the draft report because paragraphs 11, 40 and 41 did not give an objective and impartial account of the debates. That observation was not a criticism of the Rapporteur, whom he wished to congratulate on the work he had accomplished.

77. Mr. DOISE (France) paid a tribute to the clarity and objectiveness of the report. That document implied,

however, interpretations of Chapter XI of the Charter with which the French delegation could never associate itself; for example, it had had to vote against the list of factors, because the competence of the General Assembly was acknowledged therein. For that reason, the French delegation had adopted a negative attitude towards the report.

78. Mrs. MENON (India) asked whether the adoption of the report meant that the item dealt with in paragraph 45 was closed.

79. The CHAIRMAN replied that the adoption of the report did not affect the substance of the item.

80. Mr. BOZOVIC (Yugoslavia) stated that his delegation had opposed paragraphs 40 and 41 because the report should not set forth the opinions of certain delegations; that information was already available in the summary records of the meetings. Moreover, his delegation felt that opinions relating to the rules of procedure should not be mentioned in the report.

The meeting rose at 1 p.m.