



C O N T E N T S

President: Mr. Eelco N. VAN KLEFFENS
(Netherlands).

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*Mr. Hoppenot (France), Vice-President, took the
Chair.*

AGENDA ITEMS 37, 54, 43, 45 AND 12

**Supplementary estimates for the financial year
1954**

REPORT OF THE FIFTH COMMITTEE (A/2839)

Personnel policy of the United Nations

REPORT OF THE FIFTH COMMITTEE (A/2862)

**Administrative and budgetary co-ordination be-
tween the United Nations and the specialized
agencies**

REPORT OF THE FIFTH COMMITTEE (A/2861)

**Audit reports relating to expenditure by special-
ized agencies of technical assistance funds al-
located from the special account**

REPORT OF THE FIFTH COMMITTEE (A/2866)

**Report of the Economic and Social Council (*con-
tinued*)**

REPORT OF THE FIFTH COMMITTEE (A/2860)

*Mr. Liveran, (Israel), Rapporteur of the Fifth Com-
mittee, presented the reports of that Committee (A/
2839, A/2862, A/2861, A/2866 and A/2860) and then
spoke as follows:*

1. Mr. LIVERAN (Israel) (Rapporteur of the Fifth
Committee): The reports submitted by the Fifth Com-
mittee are listed in the agenda for this afternoon's
plenary meeting, and it will not be necessary for me to
comment on each one. However, there are two reports
where a word of explanation might help to bring out
the attitude taken by the Fifth Committee in dealing
with them. I shall, therefore, make my remarks entirely
on these two specific reports.

2. The first report to which I wish to refer is that
contained in document A/2862 dealing with the per-
sonnel policy of the United Nations. In brief, draft reso-
lution I, recommended by the Committee in its report,
provides for a change in staff regulation 1.6. This
article indicates in which cases staff members may or
may not accept honours, decorations, favours, gifts or
remuneration from sources outside the United Nations.

3. In the discussion on this fundamental question in
the Committee it became clear that any differences of

opinion which did exist were not concerned with the validity of the principle itself. The discussion turned on whether the principle as embodied in the existing staff regulations was, in fact, embodied in the best possible form. Some thought that, since such an absolute prohibition could in any case not be carried out, as experience in the past has shown, it might well be the best procedure to change the rules in order to make the practice comply with them. Others thought that no change should be made to relax in any way the general attitude of prohibition which was embodied in the existing rules.

4. The text, as adopted, presents a compromise between the two attitudes. However, it does not reflect any differences of opinion—since there were none—as to the substance of the principle itself. The Fifth Committee, therefore, recommends that the existing staff regulation 1.6 should be replaced by the text which appears as an annex to draft resolution I.

5. In draft resolution II, the Committee has expressed its views on the question of education grants to international civil servants. The draft resolution deals with some considerations which should be taken into account in devising proper regulations for this purpose. It requests the International Civil Servant Advisory Board to consider the matter and requests the Secretary-General to report thereon.

6. The second report to which I would like to draw attention is that contained in document A/2861, dealing with administrative and budgetary co-ordination between the United Nations and the specialized agencies. While the draft resolution which the Committee has recommended for adoption does not in any way enter into the details of the problem as it was considered by the Committee, it does recognize the importance of the problem itself.

7. The Committee felt that the entire sphere of problems presented by the existing relationships between the specialized agencies and the United Nations deserved close study, especially as the body that had been set up to deal with one aspect of that problem, namely, the examination of the administrative budgets of these agencies, could advise the United Nations only and not the specialized agencies. These problems are of a character that merits a much more detailed and closer study than it would have been possible to give them in the Fifth Committee at such a late stage in the session. The Committee therefore recommends that the entire problem be studied in the meantime and be taken up at the next Assembly. However, the Committee has expressed its intention of giving this complex matter its detailed and careful attention at that time.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Fifth Committee.

8. The PRESIDENT (*translated from French*): The Assembly will now vote on the draft resolution contained in the Fifth Committee's report concerning agenda item 37 [A/2839].

The draft resolution was adopted by 35 votes to 5.

9. The PRESIDENT (*translated from French*): The Assembly will now vote on draft resolutions I and II contained in the Fifth Committee's report concerning agenda item 54 [A/2862].

Draft resolution I was adopted by 30 votes to 10, with 1 abstention.

Draft resolution II was adopted by 35 votes to none, with 5 abstentions.

10. The PRESIDENT (*translated from French*): The Assembly will now vote on the draft resolution contained in the Fifth Committee's report concerning agenda item 43 [A/2861].

The draft resolution was adopted by 39 votes to none, with 5 abstentions.

11. The PRESIDENT (*translated from French*): As the draft resolution contained in the Fifth Committee's report on agenda item 45 [A/2866] was the subject of a unanimous decision by the Committee, if there is no objection, I shall take it that the Assembly adopts this draft resolution unanimously.

It was so decided.

12. The PRESIDENT (*translated from French*): With regard to the report of the Fifth Committee on agenda item 12 [A/2860] and on chapter IX of the report of the Economic and Social Council [A/2686], the information transmitted to the Assembly by the Fifth Committee does not seem to require a decision in plenary session. If there is no objection, I shall therefore consider that the Assembly has taken due note of the Fifth Committee's report.

It was so decided.

AGENDA ITEMS 50, 64, 65 AND 60

International criminal jurisdiction

REPORT OF THE SIXTH COMMITTEE (A/2827 AND CORR.1)

Draft articles on the continental shelf

REPORT OF THE SIXTH COMMITTEE (A/2849)

Economic development of fisheries and question of fishery conservation and regulation

REPORTS OF THE SIXTH COMMITTEE (A/2854) AND THE FIFTH COMMITTEE (A/2870)

Amendment to the rules of procedure of the General Assembly: proposal for a new rule concerning corrections of vote

REPORT OF THE SIXTH COMMITTEE (A/2856)

Mr. Adamiyat (Iran), Rapporteur of the Sixth Committee, presented the reports of that Committee.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Sixth Committee.

13. The PRESIDENT (*translated from French*): As no representative wishes to explain his vote on the draft resolution contained in the report of the Sixth Committee on agenda item 50 [A/2827], I shall put the draft resolution to the vote.

The draft resolution was adopted by 34 votes to none, with 7 abstentions.

14. The PRESIDENT (*translated from French*): As no representative wishes to explain his vote on the draft resolution contained in the report of the Sixth Committee on agenda item 64 [A/2849] I shall put the draft resolution to the vote.

The draft resolution was adopted by 32 votes to none, with 9 abstentions.

15. The PRESIDENT (*translated from French*): Does any representative wish to explain his vote on the draft resolution contained in the report of the Sixth Committee on agenda item 65 [A/2854]?

16. Mr. MAURTUA (Peru) (*translated from Spanish*): The Peruvian delegation voted for the previous resolution which is an acceptable compromise satisfying not only the interests of the Governments which showed ingenuity in expediting the work of the Commission on Human Rights in connexion with the régime of the seas but also the interests of the States which consider it necessary to safeguard the principles of the preferential right of coastal States to safeguard their coasts and to conserve the resources of the sea. The Peruvian delegation believes that the resolution does not prejudice and cannot prejudice the right of the coastal States.

17. In the prevailing state of anarchy, due to the conflicting rules of international law, nothing can prevent States from adopting individually whatever legislative measures they consider necessary to assert their sovereignty over the sea and to conserve the assets and resources of the sea for the livelihood of their peoples.

18. The Peruvian delegation takes this opportunity of reiterating the position of its Government whose policy it is actively to defend sovereignty and to protect and conserve the resources of the sea.

19. The PRESIDENT (*translated from French*): If no other Member of the Assembly wishes to speak on the same subject, I shall put to the vote the draft resolution contained in the report of the Sixth Committee [A/2854].

The draft resolution was adopted by 38 votes to 5, with 4 abstentions.

20. The PRESIDENT (*translated from French*): As no representative wishes to explain his vote on the draft resolution contained in the report of the Sixth Committee on agenda item 60 [A/2856], I shall put this draft resolution to the vote.

The draft resolution was adopted unanimously.

AGENDA ITEM 13

Report of the Trusteeship Council

REPORTS OF THE FOURTH COMMITTEE (A/2840) AND THE FIFTH COMMITTEE (A/2859)

21. The PRESIDENT (*translated from French*): If there are no objections, I shall consider that the General Assembly has taken note of the Fifth Committee's report [A/2859].

It was so decided.

Mr. Bozović (Yugoslavia), Rapporteur of the Fourth Committee, presented the report of that Committee.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Fourth Committee.

22. The PRESIDENT (*translated from French*): I give the floor to any delegation wishing to explain its vote.

23. Mr. DERESSA (Ethiopia): I have come to the rostrum to set forth my delegation's position on the item dealt with in resolution B contained in the report of the Fourth Committee [A/2840] concerning the delimitation of the frontier between Ethiopia and the

Trusteeship Territory of Somaliland under Italian Administration.

24. My delegation has already expressed the view that there is no clear and present need for a resolution on this matter in addition to Assembly resolution 392 (V) of 15 December 1950. We consider that in the light of the great importance of this question and the delicacy of the time-table determining it, in the light also of the direct negotiations between the two parties, and in the absence of a request from either party for an additional resolution or of a statement by either party that there was a danger of the direct negotiations failing to bring about delimitation, there is no justification for the action now proposed to the Assembly. Indeed, the views expressed by my delegation and the Italian observer in the Fourth Committee, rather than justifying concern as to the success of the direct negotiations, have caused many delegations to express their satisfaction that progress is being made.

25. It would appear that the Fourth Committee was not truly persuaded of the need for action, or that it was at least most demonstrably doubtful as to the draft resolution before us, for that draft resolution has come from the Committee with the dubious blessing of having obtained more abstentions than votes in favour.

26. An examination of the debate on the item and of the statements of explanation of vote clearly reveals the doubt that the suggested time limit of July 1955, after which the procedures additional to direct negotiations would be recommended, would, in the words of one delegation, have any practical effect. My delegation, in the Committee debate, expressed the view that the proposed time limit would very possibly have effect only in assuring delay of the date fixed, thereby prejudicing the success of the direct negotiations.

27. In this connexion, delegations will have noted that in the letter of 8 November addressed to the Secretary-General and contained in document A/C.4/277, my Government urged that the affirmative step of proceeding to the delimitation of the present frontier as accepted by the Trusteeship Council for the purpose of the transfer of powers to the Administering Authority should be taken as soon as such a constructive step was agreed upon by the Administering Authority. Once the present frontier is agreed upon, delimitation will proceed smoothly. As we clearly stated in an earlier intervention, to attempt to delimit without an agreed frontier is not only dangerous but dangerously provocative.

28. Some of those dangers, dangers of dispute, delay and friction, have, I regret to say, already appeared in the debate. It is with grave concern that my Government has observed that the view that the frontier is subject to revision has developed into propaganda and assertions that it should be revised in one direction only. Those assertions, which have been allowed to appear in the documentation and in the debate, contain the serious insinuation that various isolated lawless acts on both sides of the frontier, regardless of the location of the frontier, by nomadic peoples, with a pastoral economy in a desert area, are to be forcibly woven into what has been misleadingly termed an alarming border tension, endangering the peace and security of the frontier area.

29. It would not contribute to the final settlement to elaborate on this further. I must, however, firmly protest at hearing it suggested from the other side of the

frontier that officials of my Government are not discharging their constitutional duties in the protection of the civil liberties and rights of Ethiopian subjects. I do not intend to aggravate this matter by referring to similar statements and allegations made by Somali refugees moving northward onto Ethiopian soil. A contest of reports and accusations between Somali tribesmen moving from one side of the border to the other would not, whatever provocation it might produce, assist in the actual delimitation of the border, and my Government must assume and does assume that delimitation is the basic wish of both parties.

30. Many delegations have expressed concern that the frontier should be delimited before 1960 in order to ensure the implementation of the established policy for the future of the Territory. For this very reason and because of our concern for Ethiopia's territorial integrity, my delegation is urging the early delimitation of the present frontier, which, pursuant to a careful and considered study by a well-informed third party, accords with the location of the traditional frontier. My Government considers that its early delimitation, through direct negotiations between the parties, will bring about a constructive and realistic solution of the problem, a solution which will avoid the delay, the dangers and the friction which either unilateral or bilateral attempts to revise the frontier would involve.

31. For all these reasons, my delegation does not feel that the draft resolution before us is necessary, timely or that it will contribute to the delimitation of the frontier.

32. At the same time, I should like to express my appreciation to those delegations which have fully comprehended the position of my delegation and my Government's wish to pursue negotiations directly with the Administering Authority in order to secure the delimitation of the frontier as soon as possible. My Government hopes and expects that direct negotiations will achieve a solution of the problem in good time.

33. Mr. DE HOLTE CASTELLO (Colombia) (*translated from Spanish*): The Colombian delegation does not wish to oppose the views of the Ethiopian representative and in the Fourth Committee it expressed the warm respect which my country has always had for Ethiopia.

34. Nevertheless, there is one point which I would ask the General Assembly to consider seriously. Although many countries abstained in the vote on draft resolution B—originally submitted by Haiti—at present under consideration, I should nevertheless point out that three delegations, Colombia, Egypt and the Philippines, voted for it. These three countries are those which form the United Nations Advisory Council for the Trust Territory of Somaliland; their representatives live permanently in the Territory and are entitled to a seat in the Trusteeship Council to report on the problem and on the progress being made by the Administering Authority on behalf of the inhabitants.

35. I believe that if a body of the United Nations which lives in Somaliland and has had its headquarters and residence there for five years voted for this draft resolution, it is because this United Nations body really considers that the situation with respect to the frontiers between Somaliland and Ethiopia may cause very serious friction.

36. I fully appreciate the Ethiopian delegation's spirit of goodwill and its willingness to enter into negotiations

with the Administering Authority, Italy. But I wonder whether it is possible that after five years, on the one hand an Administering Authority should be required to perform miracles for the independence of a country so backward as Somaliland—to which I have devoted all my efforts and all my heart—and on the other hand, the rest, the others, should be told that the frontier problem is of no importance. I do not think that this is fair. I believe that the appeal in this draft resolution is an honest appeal, one of goodwill, which the General Assembly is making to the two parties.

37. And if the resolutions are not complied with, why, then, not put into force resolution 392 (V) of 1950 in which the General Assembly was asked to supply a mediator? Why leave a frontier problem as a legacy to a country so new as Somaliland? We South Americans have had 150 years of tension and controversy about frontier problems. I wonder whether this is possible; naturally, I consider that the draft resolution may or may not have some value, but the friendly appeal to negotiate has to be made.

38. Do you realize that the representative who is speaking to you is going to Somaliland tomorrow and has to face its people? What is he going to tell them? That the United Nations is not concerned with their future? That the United Nations does not wish to do what they have asked him to do? For, before I left Somaliland for New York all the political parties in that country without exception, asked me to support to the furthest possible extent a draft resolution to the effect that the frontier problem should be solved?

39. For that reason I am asking all representatives to weigh their abstentions well and to vote for this draft resolution.

40. Mr. ITANI (Lebanon) (*translated from French*): I should like to explain the attitude of my delegation to the draft resolution contained in document A/2840, concerning the question of the frontier between the Trust Territory of Somaliland under Italian Administration and Ethiopia.

41. I have already had an opportunity in the Fourth Committee to assure the Ethiopian and Italian representatives of my delegation's full sympathy. I want to reiterate our sentiments and state that our vote in favour of this draft resolution does not in any way imply that we doubt the good faith of the Governments concerned. Our only wish is to do our best to assist Ethiopia and Somaliland, as well as the Administering Authority, in conformity with the United Nations Charter, in settling their difficult and complex problems, subject to due consideration for all the interests at stake and to the respect of the rights of all the interested parties.

42. We hope most sincerely that the direct negotiations between the two Governments concerned will reach a successful conclusion and that the United Nations will not be forced to have recourse to other means. There is nothing we should like better than to see those Governments shortly reach generally acceptable agreement. We are convinced that the goodwill that the representatives both of Ethiopia and the Administering Power have shown in the Fourth Committee will greatly facilitate the forthcoming negotiations and enable the negotiators to surmount all the difficulties that have arisen so far.

43. I do not need to underline the importance of this question for Somaliland. We are all agreed on that.

It will suffice if I recall the very important fact that Somaliland will attain independence in 1960. That does not, of course, mean that less importance should attach to the cultural, social, economic and political development of the country.

44. The only purpose of the draft resolution before us is to give United Nations assistance to the Governments concerned in the event that the negotiations which are to be resumed shortly should fail to produce the satisfactory agreement which we so anxiously hope for. There is therefore nothing to fear or complain of in this text. We know that the problem is a complex one, that the situation is difficult and that the negotiators will have an arduous task. That is why the friendly and direct collaboration of the United Nations seems to us indispensable, if not urgent.

45. I have already explained to the Fourth Committee the reasons for my delegation's attitude, and I do not intend to repeat them now; I merely wished to refer to them.

46. Mr. CARPIO (Philippines): I would like shortly to explain the stand of the Philippine delegation on draft resolution B recommended by the Fourth Committee, which concerns the attempted reduction or shortening of the annual report which the Trusteeship Council would submit to the General Assembly on conditions in the various Trust Territories.

47. You will note that the draft resolution before us would require the Trusteeship Council to submit a comprehensive report on any given Trust Territory only once every three years, coinciding with the year when a Visiting Mission might have visited the corresponding Trust Territory.

48. My delegation is of the considered opinion that such a step would be one in the wrong direction. The United Nations has tried consistently to make the international trusteeship system a living thing in order that the principles and basic objectives envisaged in Chapter XII of the Charter might be transmitted into reality in order actually to improve the living conditions of dependent peoples. But to follow the recommendation, contained in the draft resolution, to shorten the report—and the draft resolution does not suggest the manner in which it would be shortened—so that a representative coming to the General Assembly would have difficulty in understanding what the conditions were in the Trust Territories, would, in the view of my delegation, prevent a great many representatives of States Members from participating actively in discussions on trusteeship matters.

49. It was suggested in the Committee that any representative who wished to discuss conditions in a certain Trust Territory could always consult the various reports submitted by the Administering Authorities. But think of the danger and the difficulty of such a procedure. A representative coming to the Assembly to participate in the work of the Fourth Committee would have to bring with him practically all of the annual reports of the various Administering Authorities on any given Trust Territory. Would it be practical for a representative to have to do that? On the other hand, under the present system, a representative can bring the annual report for the current year and find there complete information about the conditions in a Trust Territory and then be able to participate in the discussions on Trusteeship matters. For this reason, my

delegation cannot support a draft resolution of this kind which, instead of assisting us in the implementation of our tasks and functions to the end that the Trust Territories may be administered in a more satisfactory manner than they have been in the past, will only mean a step backward.

50. My delegation will abstain on the vote on this draft resolution in order not to obstruct the will of the majority, but I wish it to be recorded that my Government will not tolerate any attempt to retrograde from the procedures that have been followed in the past, which, we believe, have been effective in our efforts to improve administration of the Trust Territories.

51. Mr. RIVAS (Venezuela) (*translated from Spanish*): When the time comes for voting on draft resolution B recommended by the Fourth Committee, the Venezuelan delegation would be very much obliged if the President would put the text to three separate votes: a roll-call vote on the preamble and the first two paragraphs of the operative part, a vote on operative paragraph 3 and, finally, a vote on the draft resolution as a whole.

52. Although my delegation notes with concern, to quote operative paragraph 1, "that no progress has been made to date in the direct negotiations between the Governments of Ethiopia and Italy on the delimitation of the frontier", and although, like many other delegations, my delegation is greatly concerned that by 1960, when the Territory of Somaliland is to attain independence, the frontier problem should be solved, it is not absolutely certain that this is a propitious moment for giving the Governments of Italy and Ethiopia a time-limit for the cessation of direct negotiations and starting some other procedure.

53. For this reason, my delegation will vote for the whole of the preamble and operative paragraphs 1 and 2, but will abstain on paragraph 3 and on the draft resolution as a whole. My delegation's intention in abstaining is not to obstruct the efforts or frustrate the hopes of other delegations which have faith in this procedure, particularly the deep sincerity of the original sponsor of the proposal, the representative of Haiti.

54. Mrs. BROOKS (Liberia): In explaining my delegation's vote, I should like to say that we hope and trust that direct negotiations will solve the question of the frontier between Ethiopia and the Trust Territory of Somaliland under Italian administration in the very near future. My delegation feels that, in trying to solve such difficult questions as boundary conflicts, we should not arrive at hasty conclusions or procedures which would result in even more serious problems.

55. The Governments of both Ethiopia and Italy expressed, in the Fourth Committee, their anticipation of immediate negotiations with respect to the question involved. In that light it has seemed to us that operative paragraph 3 of draft resolution B is a little too rigid in the matter of setting a deadline for direct negotiations. While it is the wish of my delegation to support this draft resolution, because of operative paragraph 3 we shall abstain.

56. The PRESIDENT (*translated from French*): If no more delegations wish to speak to explain their votes I shall put to the vote the draft resolutions A to G submitted by the Fourth Committee in its report [A/2840].

57. I shall put to the vote draft resolution A.

The draft resolution was adopted by 44 votes to 8, with 4 abstentions.

58. The PRESIDENT (*translated from French*): The Assembly will now vote on draft resolution B. As requested by the Venezuelan representative, I shall first put to a roll-call vote the whole preamble and operative paragraphs 1 and 2.

A vote was taken by roll-call.

Panama, having been drawn by lot by the President, was called upon to vote first.

In favour: Panama, Paraguay, Peru, Philippines, Poland, Saudi Arabia, Sweden, Syria, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Afghanistan, Argentina, Australia, Belgium, Bolivia, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, France, Guatemala, Haiti, Iran, Iraq, Lebanon, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Pakistan.

Abstaining: Thailand, Union of South Africa, Yugoslavia, Burma, China, Denmark, Ethiopia, Greece, India, Indonesia, Israel, Liberia.

The preamble and operative paragraphs 1 and 2 were adopted by 44 votes to none, with 12 abstentions.

59. The PRESIDENT (*translated from French*): I will now put to the vote operative paragraph 3. A roll-call vote has been requested.

A vote was taken by roll-call.

Iraq, having been drawn by lot by the President, was called upon to vote first.

In favour: Iraq, Israel, Lebanon, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Philippines, Saudi Arabia, Syria, United States of America, Yemen, Argentina, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Haiti, Iran.

Against: Ethiopia.

Abstaining: Liberia, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia, Afghanistan, Australia, Belgium, Bolivia, Burma, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Dominican Republic, France, Greece, Guatemala, India, Indonesia.

Paragraph 3 was adopted by 24 votes to 1, with 31 abstentions.

60. The PRESIDENT (*translated from French*): I will now put to the vote the draft resolution B as a whole. A roll-call vote has been requested.

A vote was taken by roll-call.

Iraq, having been drawn by lot by the President, was called upon to vote first.

In favour: Iraq, Lebanon, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Saudi Arabia, Syria, United States of America, Yemen, Afghanistan, Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Haiti, Iran.

Abstaining: Israel, Liberia, Netherlands, New Zealand, Norway, Poland, Sweden, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela, Yugoslavia, Australia, Belgium, Burma, Byelorussian Soviet Socialist Republic, Canada, China, Czechoslovakia, Denmark, Dominican Republic, Ethiopia, France, Greece, Guatemala, India, Indonesia.

The draft resolution was adopted by 26 votes to none, with 30 abstentions.

61. The PRESIDENT (*translated from French*): I will now put to the vote draft resolution C.

The draft resolution was adopted by 50 votes to none, with 5 abstentions.

62. The PRESIDENT (*translated from French*): We shall now vote on draft resolution D.

63. Mr. DE HOLTE COSTELLO (Colombia) (*translated from Spanish*): I would respectfully request a separate vote on the preamble and operative paragraph 1. If operative paragraph 2 is adopted, my delegation will vote against the draft resolution as a whole; I also request a roll-call vote on this paragraph.

64. Mr. SOBOLEV (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation requests a paragraph-by-paragraph vote on the whole draft resolution.

65. The PRESIDENT (*translated from French*): Is the representative of the Soviet Union asking for a separate vote on each of the three paragraphs of the preamble?

66. Mr. SOBOLEV (Union of Soviet Socialist Republics): Yes.

67. The PRESIDENT (*translated from French*): In that case, we shall vote by show of hands on each of the paragraphs of the preamble and on operative paragraph 1, and by roll-call on operative paragraph 2.

The first paragraph of the preamble was adopted by 40 votes to none, with 8 abstentions.

The second paragraph was adopted by 46 votes to none, with 9 abstentions.

The third paragraph was adopted by 47 votes to 5, with 3 abstentions.

Operative paragraph 1 was adopted by 44 votes to 5, with 5 abstentions.

68. The PRESIDENT (*translated from French*): I will now put operative paragraph 2 to the vote by roll-call, as requested.

A vote was taken by roll-call.

Cuba, having been drawn by lot by the President, was called upon to vote first.

In favour: Cuba, Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, India, Indonesia, Iran, Iraq, Israel, Lebanon, Liberia, Mexico, Nicaragua, Pakistan, Panama, Paraguay, Peru, Saudi Arabia, Syria, Thailand, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Bolivia, Burma, Chile, China, Costa Rica.

Against: Denmark, France, Netherlands, Argentina, Colombia.

Abstaining: Czechoslovakia, Ethiopia, Greece, Haiti, New Zealand, Norway, Philippines, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United

Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Brazil, Byelorussian Soviet Socialist Republic, Canada.

Operative paragraph 2 was adopted by 32 votes to 5, with 19 abstentions.

69. The PRESIDENT (*translated from French*): We shall now vote on the draft resolution as a whole.

The draft resolution was adopted by 43 votes to 6, with 6 abstentions.

70. Mr. TRIANTAPHYLLAKOS (Greece): I wish to explain my vote on resolution D. I abstained from the vote on that text because the majority of the Assembly seemed to be in favour of it, although my delegation believed that there was no reason to make any change in the present form of the Trusteeship Council's annual report.

71. The PRESIDENT (*translated from French*): Draft resolution E deals with the report of the Trusteeship Council covering the period from 22 July 1953 to 16 July 1954 [A/2680] and was adopted unanimously by the Fourth Committee. Unless there are any objections, I shall assume that draft resolution E submitted by the Committee is adopted unanimously by the Assembly.

It was so decided.

72. The PRESIDENT (*translated from French*): I shall now put the draft resolution F to the vote.

The draft resolution was adopted by 41 votes to 8, with 5 abstentions.

73. The PRESIDENT (*translated from French*): Finally, I shall put to the vote draft resolution G.

The draft resolution was adopted by 53 votes to none, with 1 abstention.

AGENDA ITEMS 35 AND 52

The Togoland unification problem

The future of the Trust Territory of Togoland under United Kingdom trusteeship

REPORT OF THE FOURTH COMMITTEE (A/2873)

Mr. Bozović (Yugoslavia), Rapporteur of the Fourth Committee, presented the report of that Committee.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Fourth Committee.

74. Mr. TRIANTAPHYLLAKOS (Greece): I should like to request that a separate vote be taken on the words "in the light of its particular circumstances" in the last paragraph of the preamble of the draft resolution submitted by the Fourth Committee in its report [A/2873] and also on the words "in the light of the particular circumstances of the Territory" in operative paragraph 1. My delegation feels that circumstances should not be taken into consideration so far as the freely expressed wishes of the population are concerned. I should also like to request that a roll-call vote be taken on each of those separate parts.

75. Mr. CARPIO (Philippines): My delegation considers that agenda items 35 and 52 are perhaps two of the most important subject matters that will have to be discussed by the United Nations in the foreseeable future. We consider them of importance because, first, this will be the first time that the United Nations has been called upon to determine the future of a Trust

Territory; secondly, because as the draft resolution now before us shows, this is an attempt to annex a Trust Territory upon the suggestion of the Administering Authority, and, thirdly, because it will have its pervasive effects upon the whole operation of the Trusteeship System and will, in fact, put the question of whether or not the very principles and objectives of the International Trusteeship System shall be implemented, as envisaged at San Francisco, as a means of improving the conditions of dependent peoples who, for generations, have known nothing more than misery, starvation, disease and ignorance in countries overflowing with plenty. It is for that reason that I would like briefly to state the views of my delegation on the matter.

76. During our discussion of this problem in the Committee, my delegation objected vigorously to taking a plebiscite before a thorough study of the various aspects of the problem had been made. The proponents of the original draft resolution, however,—I say proponents, because several amendments were introduced—refused to allow a study of all the implications of preparations for a plebiscite to find out what were allegedly the wishes of the people.

77. For seven years, the General Assembly has been considering the question of the unification of two Trust Territories—Togoland under United Kingdom Administration and Togoland under French Administration. In several resolutions, the General Assembly has found that it is apparently the national aspiration of the majority of the people of these two territories that they should be united as one, this unification eventually to lead to self-government and independence. The last of the General Assembly decisions on this question is resolution 750 A (VIII), 750 B (VIII) and 750 C (VIII). All the previous resolutions, with the exception of resolution 750 B (VIII), have been ignored.

78. To me, this is an unhealthy sign in the United Nations. To allow certain Administering Authorities to ignore the wishes of the majority of the Member States would mean that we would destroy the very basis of the existence and the efficacy of the United Nations. It is for that reason that I ask very sincerely that, in any consideration of this problem, we should take fully into account all decisions and resolutions of the General Assembly. However, the draft resolution before us does not take those resolutions and decisions into account.

79. Furthermore, there is the question of morality involved in the annexation of a territory, and a Trust Territory at that.

80. It will be noted that, as a result of the First World War, the German Protectorate of Togoland was split into two parts by the British and the French, and was given to them as mandates under Article 22 of the Covenant of the League of Nations.

81. The Mandates System was based on the proposition that, since the people of those territories were not able to stand by themselves under the strenuous conditions of the modern world, their administration should be entrusted to countries which, by reason of their prestige, resources and experience, were in a position to help them to develop so that they could stand by themselves. The principle behind the sacred trust was that the trustee should not benefit from that trust. But if we now countenance the annexation of a Trust Territory upon the suggestion of the Administering Au-

thority, then all our theories and concepts of that sacred trust will be thrown overboard.

82. For that reason, the question of the morality of this attempt to integrate and annex a Trust Territory is in my view something that we should ponder over. From the very beginning up to the present time, the Trust Territory of Togoland under British Administration, instead of being administered by the United Kingdom in accordance with the laws of the United Kingdom and as an integral part of the United Kingdom, has from beginning to end—during the Mandate System, and even more so during the Trusteeship System—been administered not as a part of the United Kingdom or in accordance with the laws of that country but as an integral part of a colony, of the Gold Coast and in accordance with the laws of the Gold Coast.

83. In the view of my delegation, the trust that has been reposed in the Administering Authority whose influence, resources and experience were the determinative factors in its choice as Administering Authority, has been misplaced because certainly no one could have envisaged that the administration of such a delicate problem, the administration of peoples which were given to the Administering Authority because of its experience, should have been given to a mere colony. Yet, by reason of that integration to the Gold Coast, we are now faced here with a situation where we are being asked to give the blessing of the United Nations to the annexation of a Trust Territory. If there is anything that goes against our concepts of decency, it would seem that this is an excellent example.

84. We are asked to find out the wishes of the people of the Trust Territory as regards permanent annexation. This is the first time that we are confronted with this problem, but never in the past have the peoples of the Trust Territory been given a chance really to develop themselves. Schools are scarce in the Territory; very few, if any, are public schools. The backwardness of the Territory, especially in the northern part has been admitted repeatedly in the Trusteeship Council; yet, simply because the Gold Coast is going to be independent in one or two years, we are now told that the Trust Territory of British Togoland is now also ready for self-government and independence, ready to decide for itself.

85. Before we can take a plebiscite to ask the people their wishes as to their future, I consider that it is an indispensable prerequisite to determine first whether the people of the Trust Territory are or have been developed enough or are in such a condition that they can now be trusted to determine their own future. Up to now there has been no evidence to that effect and until that has been abundantly proven—that the people of the Trust Territory are so developed that they are now mature enough to determine their own future—I consider that a plebiscite of the nature envisaged in the draft resolution is out of place.

86. We have been told that, unless we now determine the wishes of the people before the Gold Coast becomes independent, we are depriving the Trust Territory of its opportunity to be free. What kind of freedom are we giving them? Freedom to be swallowed, then annexed and then erased from the map of Africa? The moment they become annexed to the Gold Coast, there will be no such thing as Togoland. Is that the special status that we have conceived for the Trust Territory? I hope not and it is for this reason . . .

87. The PRESIDENT: The representative of the Philippines asked to speak to explain his vote. He is now talking about the substance of the matter. We have already decided that there would be no general debate, that there would only be explanations of vote. Thus I will ask the representative of the Philippines to refrain from developing the question at too great length, a length which would be outside the scope of a pure explanation of vote, which is generally limited to seven or ten minutes at the most.

88. Mr. CARPIO (Philippines): I appreciate the reminder of the President. I was just trying to explain why my delegation will not vote in favour of the draft resolution. However, in explaining my vote, I have to mention the reasons why—and these are the many reasons—my delegation will abstain when this draft resolution is put to the vote. I do not want to associate my Government or my country with any attempt to have a Trust Territory with a special status annexed, a Trust Territory which is under the International Trusteeship System, an annexation which is made on the suggestion of the Administering Authority, because that would be tantamount to enabling the Administering Authority to benefit from the very trust, from the very objective of the trust which it was given—to develop the Territory towards self-government and independence.

89. Mr. ITANI (Lebanon) (*translated from French*): The draft resolution submitted by the Fourth Committee on the Togoland unification problem and the future of the Trust Territory of Togoland under United Kingdom trusteeship is, in our opinion, of particular importance in that it meets, to some extent, the wishes of all the parties concerned. The achievement of that result has called for a great deal of goodwill on the part of the majority of delegations in general and, in particular, of the parties directly concerned.

90. While we by no means claim that the draft resolution in question is beyond criticism, we can assert that each of the parties concerned will find in it, in some degree, the essential features of what it desires.

91. It would, of course, have been possible to go further without departing from the Charter or from the Trusteeship Agreements. But it seemed to us that it would be pointless, if not disastrous, to propose action that might have further complicated an already very complex situation without benefiting anyone. It is sometimes a good thing to pursue idealism to the uttermost, but there are cases in which moderation and realism seem to be absolutely essential if we are gradually to give effect to our ideologies here without doing violence to the prevailing international laws and practices and without sowing such discord and bitterness as would in no way serve the cause of freedom and international peace. The least that can be said of the draft resolution is that it goes as far as possible towards reconciling the conflicting points of view and provides an excellent starting point for future developments, both for the Gold Coast, Togoland under British and Togoland under French Administration, and for the two Administering Powers.

92. These are the reasons why my delegation will vote in favour of the draft resolution submitted by the Fourth Committee.

93. Mr. ARENALES (Guatemala) (*translated from Spanish*): With regard to the draft resolution concerning the problem of the unification of Togoland

and the future of the Trust Territory of Togoland under British administration, my delegation has requested the President through the Secretariat—and it is now repeating that request—to take a separate vote on the first part of operative paragraph 1 of this draft resolution as far as and including the words “steps should be taken . . . to ascertain the wishes of the inhabitants as to their future”. In addition, we are asking for a separate vote on the second part of that paragraph and then on the draft resolution as a whole.

94. My delegation must state on behalf of my Government that owing to Guatemala's complaint of the United Kingdom Government's continued occupation of the Territory of Belize, we cannot accept at any moment or in any form, explicitly or tacitly, directly or indirectly, the fact that an administrative union may become a political union.

95. Nevertheless, although our position is based upon such considerations, we do not think it appropriate to vote against the second part of paragraph 1 in which the idea of the integration of British Togoland with the Gold Coast is referred to and we do not think that we should vote against the draft resolution as a whole, as such an attitude would be tantamount to ignoring or making light of the opinion of a large majority or minority of the population of British Togoland.

96. My delegation will therefore vote for the first part of operative paragraph 1; it will abstain on the second part of that paragraph, and, should that paragraph be adopted by the Assembly, it will be obliged to abstain on the draft resolution as a whole.

97. The PRESIDENT (*translated from French*): If no one else wishes to speak, we shall proceed to vote on the draft resolution submitted by the Fourth Committee [A/2873]. There have been several requests for separate votes and the situation is somewhat confused. I shall therefore try to explain as clearly as possible how the vote will be taken.

98. There will first be a vote on the first four paragraphs of the preamble. A separate vote will then be taken on the words “in the light of its particular circumstances”, in the last paragraph of the preamble, after which there will be a vote on that paragraph as a whole.

99. As regards paragraph 1 of the operative part, the words “in the light of the particular circumstances of the Territory” will be voted upon separately. We shall then vote on the first part of that paragraph, as far as the words “their future”, after which we shall vote on the second part of the paragraph, from the words “without prejudice” to the words “self-governing or independent status”. Paragraph 1 of the operative part will then be put to the vote as a whole.

100. The last two votes will be on paragraph 2 of the operative part and on the draft resolution as a whole.

101. I recognize the representative of the Soviet Union on a point of order.

102. Mr. SOBOLEV (Union of Soviet Socialist Republics) (*translated from Russian*): A rather complicated procedure for voting on this draft resolution has already been proposed. I should like to make it a little more complicated, in order to give delegations an opportunity of indicating their position on individual paragraphs of the preamble also. What I propose is that the first two paragraphs of the preamble should be

put to the vote separately. Thus, the Assembly would vote separately on the first two paragraphs and then on the last two.

103. The PRESIDENT (*translated from French*): We shall do as the representative of the Soviet Union requests.

104. To begin with, then, I shall put to the vote the first two paragraphs of the preamble.

The paragraphs were adopted by 51 votes to none, with 2 abstentions.

105. The PRESIDENT (*translated from French*): I now call upon the Assembly to vote on the third and fourth paragraphs of the preamble.

The paragraphs were adopted by 39 votes to 5, with 9 abstentions.

106. The PRESIDENT (*translated from French*): I now put to the vote the phrase “in the light of its particular circumstances”, in the fifth paragraph of the preamble.

The phrase was adopted by 31 votes to 8, with 11 abstentions.

107. The PRESIDENT (*translated from French*): I now call upon the Assembly to vote on the fifth paragraph of the preamble as a whole.

The paragraph was adopted by 47 votes to none, with 8 abstentions.

108. The PRESIDENT (*translated from French*): We now pass on to paragraph 1 of the operative part. I shall first call upon the Assembly to vote on the phrase “in the light of the particular circumstances of the Territory”.

The phrase was adopted by 31 votes to 8, with 11 abstentions.

109. The PRESIDENT (*translated from French*): I shall now put to the vote the first part of paragraph 1 of the operative part, up to the words “as to their future”.

The first part of the paragraph was adopted by 42 votes to 1, with 11 abstentions.

110. The PRESIDENT (*translated from French*): I put to the vote the second part of paragraph 1 of the operative part, from the words “without prejudice” to the end.

The second part of the paragraph was adopted by 40 votes to none, with 15 abstentions.

111. The PRESIDENT (*translated from French*): I shall now put to the vote operative paragraph 1 as a whole.

The paragraph was adopted by 34 votes to none, with 18 abstentions.

112. The PRESIDENT (*translated from French*): I now call upon the Assembly to vote on operative paragraph 2 and then on paragraphs 3 and 4 together.

Paragraph 2 was adopted by 52 votes to none, with 3 abstentions.

Paragraphs 3 and 4 were adopted by 44 votes to 2, with 9 abstentions.

113. The PRESIDENT (*translated from French*): I invite the Assembly to vote on the draft resolution as a whole [A/2873].

The draft resolution was adopted by 44 votes to none, with 12 abstentions.

114. The PRESIDENT (*translated from French*): If there are no comments on the report of the Fifth

Committee [A/2874] on the financial implications of the draft resolution which has just been adopted [A/2873], I shall consider that the General Assembly has taken note of that report.

It was so decided.

AGENDA ITEM 34

Question of South West Africa (concluded)

115. The PRESIDENT (*translated from French*): Before taking up the next item on the agenda I should like to draw the Assembly's attention to a matter which concerns the Fourth Committee and which might, I think, be settled at this point: the membership of the Committee on South West Africa. In this connexion, I should like to read a letter addressed to the President of the General Assembly by Mr. Asha, Chairman of the Fourth Committee. It reads as follows:

"It will be recalled that, by letters dated 12 October 1954 [A/2753] and 13 October 1954 [A/2754], the delegations of Thailand and Norway notified the resignations of their Governments from membership in the Committee on South West Africa.

"In view of these resignations, the Fourth Committee, at its 463rd meeting, instructed me to inform you that it is the wish of the Fourth Committee that the Governments of Thailand and the United States of America be appointed to fill the two vacancies on the Committee on South West Africa.

"In this connexion, the Union of South Africa stated at the 462nd meeting of the Fourth Committee that it would not participate in the discussion of the question of the membership of the Committee on South West Africa."

116. If there are no objections, I shall take it that the General Assembly accedes to the request of the Fourth Committee that Thailand and the United States of America should be appointed to fill the two vacancies on the Committee on South West Africa.

It was so decided.

AGENDA ITEM 12

Report of the Economic and Social Council (continued)

REPORTS OF THE THIRD COMMITTEE (A/2829) AND THE FIFTH COMMITTEE (A/2865)

Mrs. Tsaldaris (Greece), Rapporteur of the Third Committee, presented the report of that Committee (A/2829) on chapters IV and V of the report of the Economic and Social Council (A/2686).

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Third Committee.

117. The PRESIDENT (*translated from French*): I call upon those delegations that wish to explain their votes on the four draft resolutions submitted by the Third Committee in its report [A/2829] and the amendment proposed to the last of these draft resolutions by Brazil, the United States and Peru [A.L.187].

118. Mr. DE BARROS (Brazil) (*translated from French*): May I be allowed to urge the adoption of an amendment that the Brazilian delegation, together with the Peruvian and United States delegations, proposed in the Third Committee. The idea on which it

is based is to be found in the United Nations Charter. It is the cornerstone of international relations and the reason for our presence here in this General Assembly.

119. To the recommendations in the draft resolution on the principle of the sovereignty of peoples and nations over their natural wealth and resources we have added a fresh point, which is as unexceptionable as the principle itself. We feel that, in proclaiming that principle, we should take into account obligations under international agreements, the principles of international law and the importance of encouraging international co-operation in the economic development of underdeveloped countries.

120. Although the last part of our amendment, which reiterates a principle that was upheld by the Brazilian delegation in the Second Committee and accepted by that body, was approved by the Third Committee, the first part was rejected by twenty-one votes to seventeen.

121. During the debate, however, no delegations must say that this is to the credit of all delegations questioned either the principles of international law or the obligations under international agreements, to which we, together with the Peruvian and United States delegations, wanted a specific reference.

122. Some representatives simply felt that it was unnecessary to emphasize a principle which was already enshrined in the Charter. That applies equally, however, to the principle of permanent sovereignty over natural wealth and resources, which is set forth in Article 1, paragraph 2. If that principle is repeated, why not repeat the principles enunciated in our amendment? On the other hand, some delegations saw in our proposal a limitation of the principle of self-determination. Yet we know full well that in principle the sovereignty of States is absolute and cannot be subjected to restrictions other than those which States accept voluntarily. If we do not accept restrictions and obligations under international agreements we make an international community an impossibility and we undermine the very foundations of the United Nations. This last concept, as Ambassador Raul Fernandes, our Minister of Foreign Affairs, pointed out on another occasion, is incompatible with the idea of an international community. But we shall not press this point. The three delegations which sponsored the amendment have decided, in a spirit of conciliation, to withdraw their reference to these obligations in order to avoid any misunderstanding.

123. We do, however, still press for a reference to the principle of the respect for international law, upon which is based the sovereignty of States and the right of peoples and nations to self-determination and to sovereignty of their natural resources and wealth. Failure to recognize this right is tantamount to a denial of the draft resolution itself, which reaffirms that right.

124. Accordingly, the new wording of operative paragraph 1 of draft resolution IV, as amended by our proposal, would be: "Having due regard to the rights and duties of States under international law and . . ." It can scarcely be claimed that this is a restriction upon sovereignty; on the contrary, it is the very basis of sovereignty, which would cease to exist if there was no respect for international law.

125. Respect for the principles of international law is the sole protection that we, the medium and small Powers, constantly under the threat of the unleashing

of international aggression, can call upon in our efforts to defend ourselves, to maintain and assert our sovereignty and preserve our natural wealth and resources.

126. For all these reasons I wish to appeal to my colleagues, and particularly those from the Latin-American countries, to support this principle which appears in our amendment. We must consider the danger of rejecting it and must bear in mind the interpretation that would be placed upon such an attitude. It would not be in conformity with the legal traditions of Latin America, with its adherence to international law or with the teachings of such jurists as Bustamante, Drago, Ruy Barbosa, Antotoletz, Yepes and Accioly.

127. To deny the importance of the rights and obligations of States under international law would be to repudiate the United Nations, to repudiate international relations, to destroy the most powerful weapon for the defence of our sovereignty and to make our presence here useless.

128. I request the President to put our amendment to a roll-call vote.

129. Mrs. LORD (United States of America): The delegation of the United States has the honour to join with the delegations of Brazil and Peru in submitting the amendment contained in document A/L.187. The amendment contains a very brief and simple reference to the rights and duties of States under international law. According to draft resolution IV the Commission on Human Rights would be requested to prepare recommendations concerning the permanent sovereignty of peoples and nations over their natural wealth and resources. Our joint amendment merely provides that in doing so the Commission should have due regard to the rights and duties of the States under international law.

130. When this draft resolution was under consideration in the Third Committee a similar amendment was introduced by the delegations of Brazil, Peru and the United States. No delegation objected to the principles contained in that amendment but several delegations were not satisfied with the language of our text.

131. To take account of the views expressed in the Committee, the delegations of Brazil, Peru and the United States have prepared a simpler and more concise text. The three delegations hope that this revised text will meet the views of those who were not entirely satisfied with the language of our earlier text. In fact, we hope that our new amendment will receive overwhelming support in the plenary meeting.

132. Surely no delegation can object to the inclusion of a reference in this draft resolution to the rights and duties of States under international law. Surely there is nothing controversial in a general reference of this kind. Our amendment does not attempt to define the rights and duties of States under international law; it merely asks the Commission on Human Rights to have due regard to these rights and duties when it considers the problem of permanent sovereignty over natural wealth and resources.

133. While the United States Government does not take issue with a statement that in principle every nation has permanent sovereignty over its natural wealth and resources, we think such a statement, standing by itself, is open to misinterpretation unless it is coupled with a phrase such as we have proposed in our amendment.

134. If the Commission on Human Rights is to study the subject it should certainly take account of all relevant aspects of the subject. One of these relevant aspects is already included in the draft resolution, namely, the importance of encouraging international co-operation in the economic development of under-developed countries.

135. Another relevant aspect of the subject should now be added to the draft resolution: the rights and duties of States under international law. Without this reference to international law, the draft resolution is incomplete and unbalanced, and our delegation cannot support it; but with the addition of our joint amendment referring to international law, we can vote for the draft resolution.

136. For all these reasons our delegation urges the General Assembly to adopt this amendment.

137. Mr. BAROODY (Saudi Arabia): I should like to address myself to the new version of the amendment proposed by Brazil, Peru and the United States [A/L.187].

138. On the face of it, this new amendment looks like a reasonable one. The former amendment proposed by these three delegations in the Third Committee called for the insertion in operative paragraph 1 of the words "obligations under international agreements, the principles of international law and the importance of encouraging international co-operation in the economic development of under-developed countries". A part of that original amendment was adopted by the Committee, namely, the words "the importance of encouraging international co-operation in the economic development of under-developed countries".

139. The opponents of the original amendment stated that the General Assembly had no right to obligate peoples and nations, before they had attained statehood, to do anything that predetermined international agreements. On the face of it, as I say, there is an improvement through the new amendment as the words "obligations under international agreements" have been deleted. But there is still an inherent danger in the phraseology "the rights and duties of States under international law", since that might imply international agreements which could be made with peoples and nations before they attained statehood. I hope that representatives will see the danger in such an amendment.

140. No people or nation which attains statehood is willing to antagonize the community of nations and to act in a manner in contravention to international law; it is not in their interest to do so. But will it prevent any Member of the United Nations which is economically developed from making agreements with people or nations before they attain statehood? Agreements may be made with a puppet government, and such agreements would be subject to the decisions of the International Court of Justice.

141. The term "international law", as such, has a broad connotation. It goes without saying that any State may be reasonably expected to abide by whatever rights and duties are practised in international law. The opponents of the original amendment—and, I hope, of this new amendment also—will see the danger which I have pointed out.

142. Inasmuch as we affirm the rights and duties of States under international law, we have no right to impose upon a nation which has not attained statehood obligations arising from provisions which might en-

danger its rights in the event that an international agreement is made before such a nation attains statehood.

143. Mr. PAZHAWAK (Afghanistan): I should like to bring to the attention of the Assembly the real situation which prevailed in the Third Committee during the discussion of draft resolution IV.

144. The sponsors of the amendment who have spoken here have explained the situation in a way that is not in conformity with the actual situation which obtained, and I can prove that their words do not conform with those of the Committee's report.

145. It was stated by one of the sponsors of the amendment that no delegation had objected to the principle of the provisions of the amendment. This is not true. What is true is that no delegation objected to the principle of respect for international law, but we did criticize the provisions of the amendment. According to the report, the amendment was criticized on the ground that there could be no limitation to the principle of self-determination, that such was superfluous and that, in any case, its meaning was too vague to be comprehended by the Commission on Human Rights in the preparation of its recommendations.

146. It is important that this point should be brought before the Assembly before a vote is taken on the amendment.

147. I should like to say also that opposition to this amendment was expressed in the Committee not only by statements which are reproduced in the Committee's records but also by votes, as the result of which the amendment was rejected. Thus I do not think that it would be proper if we remained under the impression that no objection was raised in the Third Committee with regard to the provisions of this amendment. As I have said, it was criticized on the grounds that there should be no limitation to the principle of self-determination.

148. Although that part of the original amendment which was read out by the representative of Saudi Arabia just now, and which related to the encouragement of international co-operation in the economic development of under-developed countries, was adopted, it was even criticized and opposed. As I said in the Third Committee, and as I should like to repeat here, my delegation opposed it on precisely the grounds that there should be no limitation to the principle of self-determination. Accordingly, we voted against even that part of this particular amendment.

149. I should like to explain the situation in which the representative of a so-called under-developed country, such as mine, would vote against even this part of the amendment. It is and was a question of principle—the principle that no limitation to the right of self-determination can be accepted, even for the encouragement of international co-operation or for any other reasons, when the sovereignty of a country is in question. This is the highest of all principles, and one which we wish to uphold, because we feel, and history is witness to the fact, that the mere existence of under-developed areas, the turning of certain economically strong parts of the world into poor parts of the world to which we refer today as "economically under-developed areas", is a result, among other things, of the violation of the right of sovereignty of the areas in question. That is why we voted against even that part of the amendment

to which I have referred. We foresaw the danger, and also we thought that any amendment of this kind was superfluous in a draft resolution whose purpose had nothing to do with the insertion of such matters.

150. Since no new argument has been introduced which requires an answer here, and since the arguments presented by those who did not agree with us in the Committee were answered there with replies which are on record, I shall not take up more of the Assembly's time. I hope that this amendment will be rejected here as it was in the Third Committee.

151. Mr. LUCIO (Mexico) (*translated from Spanish*): The Mexican delegation will abstain from voting on the amendment proposed by the delegations of Brazil, Peru and the United States to draft resolution IV in the Third Committee's report. It will do so because it wishes to avoid its affirmative vote being interpreted as implying recognition of some principles of international law purporting to govern in an indisputable and precise form the contractual methods by which States may lay claim to their own natural wealth and resources. Mexico has maintained, and will continue to maintain, that opinions are by no means agreed concerning the definition of the principles of international law applicable in the matter of expropriation. Accordingly, my delegation will be obliged to abstain.

152. The PRESIDENT: (*translated from French*): If no other representative wishes to speak, we shall pass to the vote on the various draft resolutions submitted by the Third Committee in its report [A/2829].

153. I shall put to the vote draft resolution I.

The draft resolution was adopted by 50 votes to none, with 5 abstentions.

154. The PRESIDENT (*translated from French*): We now come to draft resolution II. In view of the Third Committee's unanimous decision, I shall consider, if there are no objections, that the General Assembly also adopts this draft unanimously.

It was so decided.

155. The PRESIDENT (*translated from French*): I now put to the vote draft resolution III.

The draft resolution was adopted by 48 votes to none, with 3 abstentions.

156. The PRESIDENT (*translated from French*): We now come to draft resolution IV.

157. Under rule 92 of the rules of procedure I invite the General Assembly to vote first on the amendment proposed by the delegation of Brazil, Peru and the United States of America [A/L.187]. A vote by roll-call has been requested.

A vote was taken by roll-call.

The Ukrainian Soviet Socialist Republic, having been drawn by lot by the President, was called upon to vote first.

In favour: United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Belgium, Brazil, Canada, China, Colombia, Cuba, Denmark, France, Israel, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Sweden, Turkey.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yemen, Afghanistan, Argentina, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Egypt, Greece, India, Iraq, Poland, Saudi Arabia.

Abstaining: Union of South Africa, Venezuela, Yugoslavia, Bolivia, Burma, Costa Rica, Dominican Republic, Ecuador, El Salvador, Ethiopia, Guatemala, Honduras, Iceland, Indonesia, Liberia, Mexico, Pakistan, Syria, Thailand.

The amendment was adopted by 23 votes to 14, with 19 abstentions.

158. The PRESIDENT (*translated from French*): I shall now put to the vote draft resolution IV as amended.

The draft resolution was adopted by 41 votes to 11, with 3 abstentions.

The meeting rose at 6.15 p.m.